HOUSE OF REPRESENTATIVES—*Monday, February 22, 1988*

The House met at 12 noon.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We thank You, O God, for the gift of the family and for the security and love that it represents. We pray that every person would have the opportunity to express the warmth and concern that are shared by those who care for each other. We also remember those separated from those they love—the hostages, the homeless and all who do not know the freedoms we enjoy. May Your spirit, O God, that transcends every human barrier, touch the lives of all people wherever they may be.

In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3923. An act to make a technical correction to section 8103 of title 46, United States Code.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2631. An act to authorize appropriations for the Bureau of the Mint for fiscal year 1988 and for other purposes.

The message also announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House is requested:

S.J. Res. 190. Joint resolution to authorize and request the President to issue a proclamation designating June 6-12, 1988 as "National Fishing Week";

S.J. Res. 206. Joint resolution to designate April 8, 1988, as "Dennis Chavez Day";

S.J. Res. 218. Joint resolution to designate March 25, 1988, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy";

S.J. Res. 222. Joint resolution to designate the period commencing on May 1, 1988, and ending on May 7, 1988, as "National Older Americans Abuse Prevention Week";

S.J. Res. 223. Joint resolution to designate the period commencing on April 10, 1988, and ending on April 16, 1988, as "National Productivity Improvement Week";

S.J. Res. 224. Joint resolution to designate the period commencing on September 5, 1988, and ending on September 11, 1988, as "National School Dropout Prevention Week";

S.J. Res. 242. Joint resolution designating the period commencing May 2, 1988, and ending on May 8, 1988, as "Public Service Recognition Week";

S.J. Res. 245. Joint resolution to designate April 21, 1988, as "John Muir Day"; and

S.J. Res. 246. Joint resolution to designate the month of April 1988, as "National Child Abuse Prevention Month."

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills on Thursday, February 18, 1988:

H.R. 1612, an act to authorize appropriations under the Earthquake Hazards Reduction Act of 1977 for fiscal years 1988, 1989, and 1990; and

S. 2022, an act to amend title 38, United States Code, to authorize reductions under certain circumstances in the downpayments required for loans made by the Veterans' Administration to finance the sales of properties acquired by the Veterans' Administration as the result of foreclosures and to clarify the calculation of available guaranty entitlement and make other technical and conforming amendments.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives.

WASHINGTON, DC,
February 19, 1988.

Hon. JIM WRIGHT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit sealed envelopes received from the White House at 12:10 p.m. on Friday, February 19, 1988 as follows:

(1) Said to contain a message from the President whereby he transmits the third special message for FY 1988 under the Impoundment Control Act of 1974;

(2) Said to contain a message from the President whereby he transmits the Seventeenth Annual Report on Hazardous Materials Transportation for calendar year 1986;

(3) Said to contain a message from the President whereby he transmits the Fiscal Year 1986 annual report on mine safety and health activities as submitted by the Secretary of Labor;

(4) Said to contain a message from the President whereby he transmits the second biennial report of the Interagency Arctic Research Policy Committee; and

(5) Said to contain a message from the President whereby he transmits the 1988 Economic Report of the President together with the Annual Report of the Council of Economic Advisers.

With great respect, I am

Sincerely yours,

DONNALD K. ANDERSON,
Clerk, U.S. House of Representatives.

ECONOMIC REPORT OF THE PRESIDENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Joint Economic Committee.

(For message, see proceedings of the Senate of Friday, February 19, 1988, at page 1862.)

PERMISSION TO INSERT IN THE RECORD REMARKS OF MEMBERS AT WREATH-LAYING CEREMONY FOR GEORGE WASHINGTON'S BIRTHDAY OBSERVANCE AT WASHINGTON MONUMENT ON MONDAY, FEBRUARY 22, 1988

Mr. MOAKLEY. Mr. Speaker, pursuant to the order of the House of February 9, 1988, two Members designated by the Speaker attended the ceremony this morning at the Washington Monument commemorating the birthday of our first President. The two House Members laid a wreath, joining other commemorations of the National Park Service and the Washington National Monument Society.

Mr. Speaker, I ask unanimous consent that the remarks of the two Members made at the ceremony at the Washington Monument this morning be included in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massaschusetts?

There was no objection.

REMARKS OF CONGRESSMAN NORMAN SISISKY AT GEORGE WASHINGTON'S BIRTHDAY CEREMONY, FEBRUARY 22, 1988

Any Congressman who presumes to talk about George Washington on the anniversary of his birthday must do so with an extreme sense of humility, and perhaps a sense of institutional guilt.

I say that because when President Washington celebrated his 65th birthday, the House of Representatives voted 50 to 38 to not allow Members the time to call on the President to express congratulations.

It seems they were angry that an upcoming treaty gave too much power to the President and too much prestige to the Senate. I can understand the feeling.

The more I read about the Founding Fathers, and the more I read about their genius—as well as their shortcomings, the more I am reminded of what Solomon wrote in the book of Ecclesiastes:

"There is nothing new under the Sun."

When people complain that Congress moves too slowly, I am reminded that Washington was prevented from becoming President for nearly 2 months while Congress put off counting the electoral ballots.

Washington finally reached the point where he feared congressional debates would become so devisive that people would lose respect for Congress. I think that happened.

In fact, Washington once became so disgusted after listening to a Senate debate that he was overheard to say he would "be damned if he ever went there again!"

The rise of partisan spirit during Washington's second term ultimately led to the death of Alexander Hamilton in a duel with Vice President Burr. That bullet crossed the dividing line between two major aspects of Washington's political legacy.

It not only killed the author of his farewell address, it bid farewell to whatever consensus may have remained regarding Washington's vision of what the United States should be.

Since that time, we've seen a succession of parties and politicians attempt to reinterpret and redefine Washington's legacy. Obviously, some have done better than others.

Hamilton and Burr represented the tendency of our parties to emphasize Hamiltonian federalism or Jeffersonian democracy, clear cut principals that have tended to polarize our political debates at two extremes.

Like Hamilton and Burr, our parties tend to emphasize liberty at the expense of responsibility, or responsibility at the expense of liberty.

Neither solution is proper. Neither solution is true to the heritage of Washington. George Washington was the indispensable man who bridged the gap between extremes in our society.

When Jefferson told Washington: "North and South will hang together if they have you to hang on", he might well have used any other terms describing opposing sides in our society.

James Flexner wrote that Washington's greatest gift was the ability to bore down through partial arguments to the fundamental principles on which everyone could agree.

In that sense, and despite the fact that Arthur Schlesinger, Jr. used the term quite differently, I think we can also use the term "vital center" to describe George Washington.

Washington represents the "vital center" of all the things America and Americans want to be. In that sense, his monument is the zero milestone by which we measure how close we come, or far we depart from his heritage.

Washington realized that people could not pledge alliegence to both partisan pursuit and national interest, and that liberty could only be sustained by commitment to the Nation.

But even those conclusions point to Washington, the Symbol of American values, rather than Washington the man, Washington the general, and Washington the president.

In concluding that Washington was a fundamentally good and decent man, one biographer wrote:

"In all history few men who possessed unassailable power have used that power so gently and self-effacingly for what their best instincts told them was the welfare of their neighbors and all mankind."

A close look at Washington reveals a man sometimes consumed by doubt, sometimes worried about failing mental powers, and who didn't always exercise perfect judgement. In that sense, he was like other men, both yesterday and today.

But the reason we honor his memory and celebrate his birthday is that he alone, with the possible exception of Abraham Lincoln, had the courage to stand above the partisan strife of his own time and call on us to build a nation committed to both responsibility and liberty.

SPEECH ON GEORGE WASHINGTON'S BIRTHDAY BY CONGRESSMAN FRANK R. WOLF

I am honored to speak today as we commemorate the birthday of a great Virginian and great American.

George Washington is a man immortalized through the many sculptures and portraits rendered of him. The image that has been portrayed is of a man with a stern profile, his eyes always deeply set, staring straight ahead.

Whether it be the painting, "Washington Crossing the Delaware," or the chiseled features of Mount Rushmore, George Washington always is imaged as looking on ahead toward the horizon.

For George Washington, like great leaders before and after his time, his horizon was a vision etched into his soul, a vision he referred to as "the sacred fire of liberty."

Because of his uncompromising leadership, we Americans experience his vision as reality and we who contribute in directing this Nation use this "sacred fire" to light our way.

It is important that we not only hold onto the fire of liberty to light our path, but let it illuminate to help lead other nations, who know only the darkness of no democracy.

George Washington said, "Liberty, when it begins to take root, is a plant of rapid growth." We see the words of George Washington coming to life in many areas around the world. We look at the regions where the rights of citizens are now guaranteed and democracy is beginning.

However, there still remains those nations who have never been lit from the fire of liberty and who have erected barriers to block its roots from spreading to their land.

To these countries, we must be an example. As General Washington said, "Let us therefore animate and encourage each other, and show the whole world that a Freeman, contending for liberty on his own ground, is superior to any slavish mercenary on earth." We must always remember Washington's mandate and work to keep it alive.

This is the year of the Olympics and as we watch the Olympic torch passed from hand to hand and country to country, let us remember the torch of which the father of our country spoke, "the sacred fire of liberty." And may it, too, one day be passed from hand to hand and country to country.

We are here to honor a man who first honored us by being the first to light the way to liberty, who established "one nation under God." What could we do or say to repay this man or to compensate for the bountiful goodness we have experienced because of his vision?

In the 200th anniversary of the Constitution, we are blessed with guarantees protecting our liberty. George Washington fought for these liberties, he initiated them into being in Philadelphia in 1789 and as our first president, he swore to honor and uphold a government unpreceded in the history of the world.

As another whose birthday we celebrate this month, Abraham Lincoln, so aptly stated, "To add brightness to the sun, or glory to the name of Washington, is * * * impossible. Let none attempt it * * * pronounce the name and leave it shining on."

LEGISLATION TO ENFORCE BUDGET DEADLINE

(Mr. GEKAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GEKAS. Mr. Speaker, the budget process has begun all over again, and there are only 306 days left until Christmas. Why do I say that? Because Christmas seems to be the unofficial deadline for the passage of a budget of the Congress of the United States. It has happened so many times in the past, that it is ludicrous to even recount them.

But there are really only 220 days left until the absolute statutory deadline for the passage of the budget; namely, September 30. We have failed constantly every year, every since 1975 or so, to pass a budget by October 1.

My proposal, and it is in the form of a bill, is that unless the Congress follows its own law and passes a budget each year by September 30, that automatically on October 1, there should go into effect the previous year's budget.

That would eliminate all the crisis atmosphere and the last-minute insertions by Members of Congress of hidden projects into a bill the day before Christmas, so that nobody on the floor at 3 a.m., like it was this past year, would know what was happening. That kind of crisis atmosphere and magician's tricks would be eliminated once and for all, if only Congress would adopt my proposal.

SECOND BIENNIAL REPORT OF INTERAGENCY ARCTIC RESEARCH POLICY COMMITTEE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Science, Space, and Technology.

(For message, see proceedings of the Senate of Friday, February 19, 1988, at page 1865.)

ANNUAL REPORT ON MINE SAFETY AND HEALTH ACTIVITIES, FISCAL YEAR 1986—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Education and Labor.

(For message, see proceedings of the Senate of Friday, February 19, 1988, at page 1865.)

ANNUAL REPORT ON HAZARDOUS MATERIALS TRANSPORTATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce, the Committee on Public Works and Transportation, and the Committee on Merchant Marine and Fisheries.

(For message, see proceedings of the Senate of Friday, February 19, 1988, at page 1865.)

DEFERRAL OF CERTAIN BUDGET AUTHORITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 100-166)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Appropriations and order to be printed.

(For message, see proceedings of the Senate of Friday, February 19, 1988, at page 1865.)

□ 1215

UPDATE ON CAMP DAVID MULTINATIONAL FORCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, I rise today because I have been speaking out since 1982 on the peril confronting some 2,000 of our armed services component in the Sinai Desert in the so-called multinational team, whose purpose has never been satisfactorily explained. The reasons given on the House floor sometime around December 12, 1982, with some 14 Members of us being present, was that it was a request from President Reagan in which he was merely recognizing a signed memorandum or letter that President Carter had addressed to the former head of state of Egypt, Anwar Sadat, and the former head or minister of Israel, Mr. Begin, in which, as a result of the Camp David understanding, President Carter was evidencing his support and our country's full support by promising, if called upon, to name a multination force to make sure that the terms of that agreement were kept.

At that time the record will clearly reveal that I asked several questions on the floor. One primarily was, if these were specifically called military components, combat ready except not supplied with heavy equipment, with no air defense capability and no artillery, what if anything would be the result if one of the two nations, with the United States not being a party signatory to the agreement, accused the other of violating the terms of the agreement? Are we going to march this so-called peacekeeping treaty force or these arrangement-keeping watchdogs into either country? No satisfactory response was given to me on the floor of the House that day. Nevertheless, the Congress for the first time in its history ordered, mandated, and deployed a military contingent. I searched the records and could not find any precedent for that action. Everything lulled along, but from time to time each year I have gotten up, reminded my colleagues that the situation in Egypt and particularly with the ongoing war in the straits there between Arabic and non-Arabic nations; to wit: Iraq and Iran, the Egypt was under very heavy social pressure and that there was a growing antagonism to the United States to the amicable arrangements that had been obtained as a result of the Camp David agreement. With the emergence also of such individuals as Muammar Qadhafi and the President's action taken against him I have felt all along, and I feel strongly today, and this is what impels me to rise to speak up to my colleagues, that those troops together with whatever contingents are present now, originally all we could get was about 1,000 Fiji Island soldiers, but Fiji Island has had its political troubles, and we recalled some. We had 1,000 from Colombia, but since then Colombia had problems, and they called back about 500, but we were committed to 2,000, and they in effect have been dogged by tragedy. It was 248 of those men coming back for Christmas about 3 years ago that died in that airplane crash at Gander which gave rise to another scandal, and that was the method of transportation used and which continues to be used to the detriment and not to the best interest of the Nation. That is a separate point.

At this time, given last week's very, very aggressive utterances by the head of state of Egypt, Mubarak, that he considered the Camp David arrangements literally dead and that a new arrangement would have to be obtained, I considered these men under serious threat of bodily harm or death on account of acts of what we would call terrorists.

A TRIBUTE TO THE HONORABLE LAWSON E. THOMAS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. PEPPER] is recognized for 5 minutes.

Mr. PEPPER. Mr. Speaker, on January 28, Judge Lawson E. Thomas, of Miami, FL, celebrated his 90th birthday. Judge Thomas, who still practices law on a semiretired basis, is a great and noble American with an extraordinary record of public service, a portion of which I would like to share with you and my other colleagues and to have preserved in the CONGRESSIONAL RECORD for posterity.

In 1950 Judge Thomas, being appointed as judge of Miami's new Negro police court, was the first black judge to hold office in the South since the days of reconstruction. In that position, Judge Thomas was responsible for a drastic decrease in crime and juvenile delinquency in Miami's black community. The story of his unique skill in effectively influencing offenders coming before his court and some of his other meaningful accomplishments is well told in a 1951 Reader's Digest article which I respectfully request be printed immediately following my remarks. I know you and every Member of the House of Representatives will share my warm admiration for Judge Lawson E. Thomas.

HIS COURT IS A CLASSROOM

A year and a half ago, in Florida, the most unusual court in the country came into existence. Its mission: to convince 50,000 Negroes that the law means equal justice for all, regardless of color.

Miami's city commissioners knew that they were risking their political careers when they appointed the first Negro judge in the entire South since reconstruction days. Yet today the South's first court run entirely by Negroes fully justifies their courage. Crimes of violence in Miami's Negro areas have fallen by 50 percent; juvenile delinquency has been cut by almost two thirds.

Largely responsbile for these spectacular changes is a small, calm-voiced judge who explains his unorthodox courtroom procedures simply: "I'm not running a court, I'm running a classroom."

Lesson Number One in Judge Lawson E. Thomas's book is the futility of pleading guilty just to get it over with. Haled before a white judge, the southern Negro too often concludes that he stands convicted from the start and almost automatically mutters an abject "Guilty, I guess," hoping the court will trade a lighter sentence in return for the time saved.

To such a plea Judge Thomas replies: "You're in this court to get a trial. And in a trial we can't have guesses; we've got to know, for certain. So if you just guess you're guilty, I'm going to plead you not guilty,

and then we'll hear all about what happened."

It never seems to matter how long it takes, either. Judge Thomas has Job-like patience in fulfilling the law's promise of justice.

Drunkenness cases constitute nearly half of all those that come before his court. If the record indicates a "first-time drunk" the culprit gets off with a short lecture. Court opens especially early on Monday morning so that such original-sinners, having spent the week end sobering up, can be sent off to their jobs before they lose a day's pay.

"Lots of judges forget," Lawson Thomas points out, "that somebody—maybe the kids—won't eat so good if a man is out a day's pay."

Repeater drunks get fined on a rising scale. A man whose drunkenness is not accompanied by violent disorderly conduct is sent to jail only when nothing else helps. The Judge tries especially to avoid jailing youngsters under 21 who get high on two or three drinks. "I'm trying to teach those kids to give up drinking," he says. A man with a jail record—it doesn't matter what for—has to fight it all his life."

Judge Thomas has better ways of convincing his people that excessive drinking doesn't pay. I watched him apply his methods to a youngster charged with being drunk and disorderly.

"Have you got a job?"

"Yes sir."

"Are you sure you still have a job?"

"That's what's worrying me now, Judge."

"That's right. You get drunk on your own time, but you sober up on the boss's time. If I send you to jail you surely wouldn't have a job when you came out, would you?

"But I'm not going to do that," the Judge continued. "I'll sentence you to just four hours; downstairs in a cell with the dirtiest old man you ever saw. You ask him how many times he's been picked up drunk. Ask him why he can't get a job. Ask him why his family left him. And then just look at him—see how his hands shake, how skinny he is and how terribly sad. And then say to yourself, 'That's me, if I keep up this carrying on.'"

As they led the youngster away his face broke into a tentative grin, as if he thought he's gotten off easily. Later that morning, when he left his cell, the grin was replaced by the shaken look of a man who had seen his future and didn't like it.

It was the Judge who smiled now as he nudged me. "That old man is about the worst punishment I've got. I could lecture these young bucks all day and they'd think I was nothing but a mealy mouthed preacher. But that shaking old man makes them think."

For citizens who carry pistols or switchblade knives, Judge Thomas has another—and sterner lesson: 30 days in jail plus fine. "That's one spot where I have a real advantage over the white courts," he explains. "If a white judge gave one of my people 30 days on a concealed weapon charge, he'd think he was being persecuted. But when I do it he knows he's being punished."

Formerly, when a brawl broke out in a Northwest Second Avenue bar, the police would frisk the crowd and be certain of finding a dozen or more spring-action, six-inch knives. But today, thanks to the new court, Miami policemen have a hard time collecting cutlery.

"The community has backed me up," explains the Judge. "Whenever I get such a case I explain to everybody in court—not just the prisoner—that no one can get killed by a pistol or a spring-button knife if no one carries them. In the old days a man would argue that he had to carry a spring-blade because everybody else had one. These days, when a man knows that what fighting he does he'll have to do with his fists, he wants to be sure no one else can spring a knife on him."

At first, members of the Miami bar feared that Negroes would not respect Judge Thomas's informal procedures. What they overlooked was the deep pride his people felt in the advancement the court symbolized for their race.

Judge Thomas has been a long time building prestige. His appointment, in fact, came more than 30 years after he decided to become a judge. As a youngster in Ocala, Fla., Lawson Thomas had been deeply influenced by his high school principal. "When his boy went to the University of Michigan, I had to follow. He took a medical course, so that's what I applied for.

"Then I started thinking. There were already Negro doctors; not enough, but many. I wanted to plow a new furrow, where none of my people had gone before. So I went to the registrar and switched from medicine to law."

Graduating in 1923, Thomas twice took the Florida bar examinations and twice failed. Then he tried in Michigan and sailed through a difficult exam with ease. Ten years later, after his third and successful Florida effort, he discovered the reason for his earlier rejections: an examining judge he had come to know told him the story one of his colleagues had recounted, years before, of a sassy Negro who, at his bar examination, forgot to say "sir" when answering a white man.

"I realized then," Judge Thomas recalls, "that I couldn't carry northern habits back South with me and get along. You can't change the South by wishing it changed. You've got to take it as you find it and try to push it forward from there. That's just as true for whites as it is for Negroes."

In the last 17 years Judge Thomas has been pushing, gently but steadily. He was the first to break the custom among Florida's few Negro lawyers of letting white colleagues do their pleading in court. He fought the salary equalization case of Florida's Negro teachers through to a favorable decision in the United States Supreme Court. A few years later, as defense counsel in a murder case, he raised the question of exclusion of Negroes from jury service. The trial judge sustained his contentions.

Legally Judge Thomas' new court is just another part of Miami's judicial system. In practice it has been confined to disposing of arrests in the city's all-Negro areas. This limitation provokes criticism from some Negro leaders who regard the court as an extension of the segregation system.

The Judge's reply is simple. "Of course, this court is not the final answer to our problem. But we Negroes must use the tools that are at hand. This tool at least gives us a measure of self-government within the bounds of segregation. It makes the Negro a little larger citizen, and that's all to the good."

The court represents the second stage of an experiment initiated in Miami in 1944, when that city—for the first time in the history of the South—appointed Negroes to its police force. The City Commissioners knew that they had to do something to check crime and violence in the shack-crammed blocks into which Miami's ever-increasing Negro population was crowded.

Up to then law enforcement in the area was restricted to two squad cars which seldom strayed beyond the main streets. The addition of five Negro policemen, patrolling their beats on foot, had an instantaneous salutary effect, backed as it was by the wholehearted support of the noncriminal majority. So Miami added more Negroes to its force: they now number nearly 40.

Other southern communities watched the Florida experiment, first with foreboding and then with increasing interest. One by one they began to imitate Miami. Today 77 southern cities employ Negroes on their police forces, and the list is constantly growing. Many of these cities have sent observers to study Judge Thomas's court; several of them are planning to open similar Negro courts.

Judge Thomas welcomes all this, as a Negro deeply devoted to the progress of his people and as an individual. he has no illusions that the credit rests solely on his shoulders. "The old traditions of racial suppression are falling away," he explains, "largely through the efforts of intelligent and enlightened whites. Negroes can hasten the process by pushing for change; but the change itself is inevitable."

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DELAY) to revise and extend their remarks and include extraneous material:)

Mr. DORNAN of California, for 60 minutes, on February 25.

(The following Members (at the request of Mr. GONZALEZ) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. PEPPER, for 5 minutes, today.

Mr. PEASE, for 5 minutes, on February 23 and 24.

Mr. OWENS OF NEW YORK, for 5 minutes, today and February 23, 24, 25 and 26.

Mr. GAYDOS, for 60 minutes, on February 24.

Mr. OLIN, for 60 minutes, on March 15, 22 and 29.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. DELAY) and to include extraneous matter:)

Mr. GINGRICH.

Mr. MICHEL.

Mr. VANDER JAGT.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. ANDERSON in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. BROWN of California in 10 instances.
Mr. ANNUNZIO in six instances.
Mr. JONES of Tennessee in 10 instances.
Mr. LIPINSKI.
Mr. ACKERMAN.
Mr. CROCKETT.
Mr. TRAFICANT in two instances.
Mr. HAMILTON.
Mr. FAZIO.
Mr. ANDREWS.
Mr. FASCELL in three instances.

SENATE JOINT RESOLUTIONS REFERRED

Joint Resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 190. Joint resolution to authorize and request the President to issue a proclamation designating June 6-12, 1988 as "National Fishing Week"; to the Post Office and Civil Service;

S.J. Res. 206. Joint resolution to designate April 8, 1988, as "Dennis Chavez Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 218. Joint resolution to designate March 25, 1988, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy"; to the Committee on Post Office and Civil Service.

S.J. Res. 222. Joint resolution to designate the period commencing on May 1, 1988, and ending on May 7, 1988, as "National Older Americans Abuse Prevention Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 223. Joint resolution to designate the period commencing on April 10, 1988, and ending on April 16, 1988, as "National Productivity Improvement Week'; to the Committee on Post Office and Civil Service.

S.J. Res. 224. Joint resolution to designate the period commencing on September 5, 1988, and ending on September 11, 1988, as "National School Dropout Prevention Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 242. Joint resolution to designate the period commencing on May 2, 1988, and ending on May 8, 1988, as "Public Service Recognition Week"; to the Committee on Post Office and Civil Service.

S.J. Res. 245. Joint resolution to designate April 21, 1988, as "John Muir Day"; to the Committee on Post Office and Civil Service.

S.J. Res. 246. Joint resolution to designate the month of April 1988, as "National Child Abuse Prevention Month"; to the Committee on Post Office and Civil Service.

ENROLLED BILLS SIGNED

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1612. An act to authorize appropriations under the Earthquake Hazards Reduction Act of 1977 for fiscal years 1988, 1989, and 1990; and

H.R. 3923. An act to make a technical correction to section 8103 of title 46, United States Code.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2022. An act to amend title 38, United States Code, to authorize reductions under certain circumstances in the downpayments required for loans made by the Veterans' Administration to finance the sales of properties acquired by the Veterans' Administration as the result of foreclosures and to clarify the calculation of available guaranty entitlement and make other technical and conforming amendments.

BILL PRESENTED TO THE PRESIDENT

Mr. ANNUNZIO, from the Committee on House Administration, reported that that committee did on the following date present to the President, for his approval, a bill of the House of the following title:

February 19, 1988:

H.R. 1612. An act to authorize appropriations under the Earthquake Hazards Reduction Act of 1977 for fiscal years 1988, 1989, and 1990.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Tuesday, February 23, 1988, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2933. A letter from the Deputy Director, Office of Management and Budget, transmitting a report that the appropriation to the Veterans Administration for "Compensation and Pensions" for fiscal year 1988 has been reapportioned on a deficiency basis, pursuant to 31 U.S.C. (b)(2); to the Committee on Appropriations.

2934. A letter from the Secretary of Defense, transmitting the Department's annual report to Congress for fiscal year 1989, pursuant to 10 U.S.C. 113(c), (e); to the Committee on Armed Services.

2935. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting a report on increasing the use of underutilized minority thrift institutions as depositories or financial agents of Federal agencies, pursuant to Public Law 100-86, section 412(c) (101 Stat. 621); to the Committee on Banking, Finance and Urban Affairs.

2936. A letter from the Secretary of Housing and Urban Development, transmitting an interim report on the Supportive Housing Demonstration Program, pursuant to Public Law 100-77, section 427(1); to the Committee on Banking, Finance and Urban Affairs.

2937. A letter from the Secretary of Education, transmitting a copy of the notice of final funding priorities for NIDRR—research and demonstration—knowledge, dissemination and utilization, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

2938. A letter from the Administrator, U.S. Environmental Protection Agency, transmitting a report entitled, "Results of Research Related to Stratospheric Ozone Protection," pursuant to 42 U.S.C. 7454(e); to the Committee on Energy and Commerce.

2939. A letter from the Acting Director, Defense Security Assistance Agency, transmitting a report that a guerrilla unit launched a surprise attack on the El Salvadoran 6th Brigade Headquarters at Usulatan, Usulatan Department El Salvador, pursuant to 22 U.S.C. 2761(c)(2); to the Committee on Foreign Affairs.

2940. A letter from the Assistant Secretary of State, Legislative Affairs, transmitting the semiannual report for the period April 1987-September 1987, listing voluntary contributions by the United States to international organizations, pursuant to 22 U.S.C. 2226(b)(1); to the Committee on Foreign Affairs.

2941. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Army's proposed lease of defense articles to Canada (Transmittal No. 1-88), pursuant to 22 U.S.C. 2796(a); to the Committee on Foreign Affairs.

2942. A letter from the Assistant Secretary of State, Legislative Affairs, transmitting copies of the original report of political contributions by Daniel G. Amstutz, of New York, for the rank of Ambassador during his tenure of service as chief agricultural negotiator in the Uruguay Round of Multilateral Trade Negotiations, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

2943. A letter from the Assistant Secretary of State, Legislative Affairs, transmitting a copy of the Presidential Determination (No. 88-9) that closure of the U.S. diplomatic and consular mission in Antigua and Barbuda is not in the national security interests of the United States, pursuant to Public Law 100-204, section 123; to the Committee on Foreign Affairs.

2944. A communication from the President of the United States, transmitting a report on the activities of the U.S.-U.S.S.R. Standing Consultative Commission [SCC], pursuant to Public Law 100-213, section 3(b) (101 Stat. 1445); to the Committee on Foreign Affairs.

2945. A letter from the Acting Comptroller General, General Accounting Office, transmitting a list of reports issued during the month of January 1988, pursuant to 31 U.S.C. 719(h); to the Committee on Government Operations.

2946. A letter from the Comptroller General, General Accounting Office, transmitting the GAO's annual report for fiscal year 1987, pursuant to 31 U.S.C. 719(a); to the Committee on Government Operations.

2947. A letter from the Assistant Secretary of Housing and Urban Development, transmitting notification of the proposed alteration of a Federal records system, pursuant to 5 U.S.C. 552a(o); to the Committee on Government Operations.

2948. A letter from the Assistant Secretary of State, Legislative Affairs, transmitting notification that the Department's fiscal year 1987 report of actions taken to increase competition for contracts is being finalized and anticipates submitting the report by February 29, 1988, pursuant to 41

U.S.C. 419; to the Committee on Government Operations.

2949. A letter from the Acting Attorney General, Department of Justice, transmitting, a report of the Department's compliance with the competition advocacy program for the period October 1, 1986 through September 30, 1987, pursuant to 41 U.S.C. 419; to the Committee on Government Operations.

2950. A letter from the Acting Chairman, Federal Maritime Commission, transmitting the 1987 annual report of the Commission's compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2951. A letter from the Secretary of Health and Human Services, transmitting the 1987 annual report of the Department's activities under the Freedom of Information Act, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

2952. A letter from the Secretary to the Board, U.S. Railroad Retirement Board, transmitting the 1987 annual report of the Board's compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Operations.

2953. A letter from the President, Close Up Foundation, transmitting the first report on the Civic Achievement Award Program in honor of the Office of Speaker of the House of Representatives for the period July 1, 1987 to January 31, 1988, pursuant to Public Law 100-158; to the Committee on House Administration.

2954. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the annual report of the league for the fiscal year ending September 30, 1987, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

2955. A letter from the Under Secretary, Smithsonian Institution, transmitting a copy of the National Society of the Daughters of the American Revolution's "Annual Proceedings of the Ninety-Sixth Continental Congress," pursuant to 36 U.S.C. 18b; to the Committee on the Judiciary.

2956. A letter from the Chairman, Board of Directors, Panama Canal Commission, transmitting a draft of proposed legislation to authorize expenditures for fiscal years 1989 and 1990 for the operation and maintenance of the Panama Canal and for other purposes, pursuant to 31 U.S.C. 1110; to the Committee on Merchant Marine and Fisheries.

2957. A letter from the Assistant Secretary of the Army (Civil Works), transmitting a report from the Chief of Engineers, Department of the Army, on the Delaware River from Philadelphia to Wilmington, together with other pertinent reports (H. Doc. No. 100-167); to the Committee on Public Works and Transportation and ordered to be printed.

2958. A letter from the Administrator, Small Business Administration, transmitting a copy of the findings and recommendations of the National White House Conference on Small Business, pursuant to 15 U.S.C. 631 note; to the Committee on Small Business.

2959. A letter from the Secretary of the Treasury and the U.S. Trade Representative; transmitting information regarding congressional consideration of the United States-Canada Free Trade Agreement implementing legislation; to the Committee on Ways and Means.

2960. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report of the nondisclosure of safeguards information for the quarter ending December 31, 1987, pursuant to 42 U.S.C. 2167(e); jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

2961. A letter from the Secretary of Energy, transmitting the annual report on the Office of Alcohol Fuels, pursuant to 42 U.S.C. 8818(c)(2); jointly, to the Committees on Energy and Commerce and Agriculture.

2962. A letter from the Director, U.S. Office of Government Ethics, transmitting a draft of proposed legislation to amend the Ethics in Government Act of 1978, as amended, to extend the authorization of appropriations for the Office of Government Ethics for 6 years, pursuant to 31 U.S.C. 1110; jointly, to the Committees on the Judiciary and Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DE LA GARZA:

H.R. 3980. A bill to make technical corrections in the Agricultural Credit Act of 1987; to the Committee on Agriculture.

By Mr. ACKERMAN:

H.R. 3981. A bill to make section 7351 of title 5, United States Code, inapplicable to leave transfers under certain experimental programs covering Federal employees, except as the Office of Personnel Management may otherwise prescribe; to the Committee on Post Office and Civil Service.

By Mr. CRAIG:

H.R. 3982. A bill expressing the sense of the Congress with respect to needed improvements in the coordination and effectiveness of Federal and State regulation of real estate appraisal practices; jointly, to the Committees on Government Operations and Banking, Finance and Urban Affairs.

By Mr. MAVROULES:

H.R. 3983. A bill to provide Federal assistance for economic stabilization and local community development in areas affected by defense base closures and the termination of major defense contracts, and for other purposes; jointly, to the Committees on Armed Services; Banking, Finance and Urban Affairs; and Education and Labor.

By Mr. RODINO (for himself (by request) and Mr. FISH):

H.R. 3984. A bill to amend titles 11 and 28 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 3985. A bill to amend the Internal Revenue Code of 1986 to permit farmers to purchase tax free certain fuels for farm use, and for other purposes; to the Committee on Ways and Means.

By Mr. HOYER (for himself, Mr. DYMALLY, and Mrs. MORELLA):

H.J. Res. 465. Joint resolution designating 1988 as "Fortieth Anniversary Year of the National Institute of Dental Research"; to the Committee on Post Office and Civil Service.

By Mr. DYMALLY:

H. Con. Res. 248. Concurrent resolution to establish certain basic principles concerning United States policy toward Central America, including any future United States assistance for the Nicaraguan resistance; to the Committee on Foreign Affairs.

By Mr. FOLEY (for himself, Mr. MICHEL, Mr. FASCELL, Mr. BROOMFIELD, and Mr. LAGOMARSINO):

H. Con. Res. 249. Concurrent resolution expressing confidence that the people of El Salvador will reject efforts to disrupt the election to be held in that country on March 20, 1988, and will avail themselves of the opportunity to vote in that election to the Committee on Foreign Affairs.

By Mr. DINGELL:

H. Res. 381. Resolution providing amounts from the contingent fund of the House for expenses of investigations and studies by the Committee on Energy and Commerce in the 2nd sess. of the 100th Congress; to the Committee on House Administration.

By Ms. SLAUGHTER of New York:

H. Res. 382. Resolution expressing the sense of the House of Repesentatives that the Secretary of State should designate a special envoy to negotiate the release of Americans held hostage in Lebanon; to the Committee on Foreign Affairs.

MEMORIAL

Under clause 4 of rule XXII,

270. The SPEAKER presented a memorial of the 19th Guam Legislature of Guam, relative to the passage of H.R. 3471; to the Committee on Government Operations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mrs. BOXER introduced a bill (H.R. 3986) for the relief of Marco J. Gock; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 81: Ms. OAKAR.

H.R. 245: Mr. WELDON and Mr. KOLTER.

H.R. 637: Mr. AKAKA.

H.R. 898: Mr. BROWN of California and Mr. MOODY.

H.R. 1072: Mr. SLAUGHTER of Virginia.

H.R. 1352: Mr. TRAXLER.

H.R. 1959: Mr. NAGLE.

H.R. 2213: Mr. HORTON, and Mr. WHITTAKER.

H.R. 2499: Mr. LAFALCE.

H.R. 2673: Mr. WATKINS.

H.R. 2879: Mr. GILMAN, Mr. NIELSON of Utah, and Mr. MCGRATH.

H.R. 2943: Mr. RODINO and Mr. MYERS of Indiana.

H.R. 2944: Mr. DOWDY of Mississippi, Mr. PEPPER, Mr. WORTLEY, and Mr. RODINO.

H.R. 3026: Mr. BLILEY, Mr. ENGLISH, and Mrs. BENTLEY.

H.R. 3057: Mr. TOWNS, Mr. LAGOMARSINO, Mr. HAWKINS, Mr. MILLER of Washington, Mr. HUGHES, Mr. SHAYS, Mr. SUNIA, Ms. KAPTUR, and Mr. MARTINEZ.

H.R. 3130: Mr. CONYERS, Mr. DELLUMS, Mrs. MORELLA, Mr. MORRISON of Connecticut, Mr. DYMALLY, and Mr. DONALD E. LUKENS.

H.R. 3193: Mr. DYMALLY, Mr. JEFFORDS, and Mr. TRAXLER.

H.R. 3304: Mr. GILMAN and Mr. OXLEY.

H.R. 3440: Mr. JACOBS and Mr. GIBBONS.

H.R. 3511: Mr. FLORIO, Mr. CLAY, and Mr. UDALL.

H.R. 3589: Mr. KOLTER.

H.R. 3600: Mr. MARTINEZ and Mr. HAYES of Illinois.

H.R. 3696: Mr. DE LA GARZA, Mr. FOGLIETTA, Mr. SKAGGS, and Mr. LANCASTER.

H.R. 3742: Mr. STRATTON.

H.R. 3915: Mr. HAWKINS and Mrs. LLOYD.

H.J. Res. 390: Mr. LEVINE of California and Mr. CLINGER.

H.J. Res. 438: NIELSON of Utah, Mr. SCHAEFER, Mrs. MEYERS of Kansas, Mr. ATKINS, Mr. MCDADE, Mr. RODINO, Mr. HASTERT, Mr. FOGLIETTA, Mr. GOODLING, and Mr. MARTINEZ.

H.J. Res. 447: Mr. LAFALCE, Mr. GRAY of Illinois, Mr. PICKLE, Mr. MINETA, Mrs. BYRON, Mr. ALEXANDER, Mr. ROE, Mr. DONNELLY, Mr. MCGRATH, Mr. STRATTON, Mr. HUGHES, Mr. HERTEL, Mr. CARPER, Mr. DORGAN of North Dakota, Mr. SMITH of Florida, Mr. KOSTMAYER, Mr. MCCLOSKEY, Mr. LEVIN of Michigan, Mr. CARR, Mr. HUCKABY, Mr. GUARINI, Mr. FLAKE, Mr. FAUNTROY, Mr. MOLLOHAN, Mr. DEFAZIO, Mr. QUILLEN, Mrs. MORELLA, Mr. BLILEY, Mr. ARCHER, Mr. MCCANDLESS, Mr. HASTERT, Mr. JOHNSON of South Dakota, Mr. CONTE, Mrs. MARTIN of Illinois, Mr. MACK, Mr. BUNNING, Mr. MCCOLLUM, Mr. ROGERS, Mr. HYDE, Mr. LAGOMARSINO, Mr. DONALD E. LUKENS, Mr. DAUB, Mr. FAZIO, Mr. LEACH of Iowa, Mr. PORTER, Mr. PURSELL, Mr. GRANDY, and Mr. SKEEN.

H. Con. Res. 223: Mr. ARCHER, Mr. BORSKI, Mr. CARPER, Mr. CARR, Mr. COATS, Mr. ERDREICH, Mr. FUSTER, Mr. HEFLEY, Mr. HOPKINS, Mr. HOUGHTON, Mr. JONTZ, Mr. KASICH, Mr. LANCASTER, Mr. LEWIS of Florida, Mrs. LLOYD, Mr. MCCURDY, Mr. OWENS of Utah, Ms. PELOSI, Mrs. PATTERSON, Mrs. ROUKEMA, Mr. STAGGERS, and Mr. VOLKMER.

H. Con. Res. 246: Mr. DONALD E. LUKENS, Mr. BILBRAY, Mr. YATRON, Mr. ROTH, Mr. BEREUTER, and Mr. DORNAN of California.

H. Res. 300: Mr. SOLOMON, Mr. MORRISON of Connecticut, Mr. BONIOR of Michigan, Mr. BRYANT, and Mr. LEHMAN of California.

H. Res. 364: Mr. BATES, Mr. NIELSON of Utah, Mr. CAMPBELL, Mr. SLATTERY, and Mr. UPTON.

PETITIONS, ETC.

Under clause 1 of rule XXII

125. The SPEAKER presented a petition of the National Assembly, Republic of Korea, relative to the bombing of Korean Airline Flight 858; which was referred to the Committee of Foreign Affairs.

SENATE—*Monday, February 22, 1988*

(Legislative day of Monday, February 15, 1988)

The Senate met at 1 p.m., on the expiration of the recess, and was called to order by the Honorable TERRY SANFORD, a Senator from the State of North Carolina.

PRAYER

The Chaplain, the Reverend Richard C. Halverson, D.D., offered the following prayer:

Let us pray:

Make a joyful noise unto the Lord all ye lands.

Serve the Lord with gladness: come before His presence with singing.

Know ye that the Lord He is God: it is He that hath made us, and not we ourselves; we are His people, and the sheep of His pasture.

Enter into His gates with thanksgiving, and into His courts with praise: be thankful unto Him, and bless His name.

For the Lord is good; His mercy is everlasting; and His truth endureth to all generations.—Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. STENNIS].

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 22, 1988.

To the Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TERRY SANFORD, a Senator from the State of North Carolina, to perform the duties of the Chair.

JOHN C. STENNIS,
President pro tempore.

Mr. SANFORD thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. Under the standing order, the majority leader is recognized.

RESERVATION OF LEADERS' TIME

Mr. BYRD. Mr. President, I ask unanimous consent that the time of the two leaders may be reserved.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CHAPLAIN'S PRAYER

Mr. BYRD. Mr. President, I thank the Chaplain for his excellent prayer. His quotation of the Scriptures is very much needed at this time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

INF TREATY LEAVES NATO AMPLY PREPARED TO DEFEND THE FREE WORLD

Mr. PROXMIRE. Mr. President, a leading objection to prompt Senate ratification of the INF Treaty is that it would leave Western Europe open to conventional Soviet attack. For years, we have been hammered with the argument that the Soviets and the Warsaw Pact have a conventional force vastly superior to the NATO forces. We have repeatedly been told that the peace in Europe has been maintained because NATO has a range of nuclear weapons that could stop a Soviet conventional attack without provoking an all-out nuclear holocaust. But we know that U.S. INF weapons have not solely guaranteed Warsaw Pact conventional restraint. Opponents of the INF Treaty pin their main argument against the treaty on the absolute necessity of maintaining U.S. intermediate nuclear weapons on the ground in Europe. They contend that it is exactly these weapons that dissuade the Soviet Union from a Western Europe invasion. They acknowledge that NATO still has enormous strategic nuclear power. They say, "Sure, NATO could indeed retaliate with a nuclear attack that could literally level and devastate the Soviet Union. But the Soviets know that no U.S. President would order such an attack because it would mean a Soviet nuclear retaliation that would in turn utterly devastate the United States. Both sides would certainly lose and utterly lose."

Since the United States knows this, opponents of the INF Treaty contend that the Soviets could launch their conventional blitzkrieg and overrun Western Europe in a matter of a few days and promptly make Communist Russia the dominant military force on Earth.

What's wrong with this analysis? Doesn't the removal of NATO's intermediate nuclear missiles in fact offer the Warsaw Pact an open invitation to sweep through Western Europe with impunity? The answer is a loud, clear "No." The INF Treaty does not seriously weaken the NATO defense. Here's why:

First, NATO will retain its tactical nuclear weapons. These are nuclear weapons with a range of less than 300 miles. The INF Treaty, therefore, does not denuclearize Europe.

Second, NATO also has submarines and bombers with nuclear weapons that could strike Warsaw Pact conventional forces, including tanks, artillery, assembled aircraft or cities, including Moscow.

Third, the agreement to eliminate both Warsaw Pact and NATO intermediate and short-range nuclear weapons did not require either France or the United Kingdom to surrender their intermediate nuclear weapons. The intermediate nuclear forces of both these free countries are within easy range of Warsaw Pact major cities including those in European Russia. Both countries could be expected to use their intermediate nuclear weapons if faced with the imminence of a Soviet force overrunning their homeland.

Fourth, the Soviet Union has now spent 8 long years in a fruitless invasion of primitive Afghanistan. Afghanistan is right on the Soviet border. Soviet supply lines were no problem. Afghanistan has a pathetically weak economy. Their weapons technology is generations behind the Soviets. But after an 8-year struggle, the Soviets are about to quit. They have lost. And they know it. Is it logical that a military force that was unable to bring little neighboring Afghanistan under its heel would be able to take on the might of the free world and win?

Fifth, Senator CARL LEVIN has just issued a thorough report comparing the Warsaw Pact and NATO. It is a shocker, a real eyeopener. The Levin analysis shows that NATO and the Warsaw Pact are roughly a standoff in conventional forces. The Soviets do indeed have more tanks, planes, artillery and personnel. But their tanks are older than NATO's. Many Russian tanks go back 20, 30, and 40 years. Some are actually of World War II vintage. NATO actually has 3,000 more tanks designed and produced in the eighties than the Warsaw Pact. NATO planes are conspicuously superior. In air battles in the Middle East, United States planes piloted by Israelis have overwhelmed Soviet planes piloted by Syrians. In one engagement, 72 Soviet planes were lost. Not a single

● This "bullet" symbol identifies statements or insertions which are not spoken by the Member on the floor.

U.S. plane was shot down. Not one. The quality of training of NATO personnel is much higher, with far more flight time, far more time at sea, much more time in maneuvers than Warsaw Pact troops. And certainly, the morale and dedication to the cause of NATO troops is way ahead of Warsaw Pact troops. This observation is specially true of those Warsaw Pact troops from nations other than the Soviet Union.

The Soviet leaders know all this. So there is virtually no chance that they will try to invade Western Europe just because INF weapons are being removed.

In summary, Mr. President, it appears very clear that the INF Treaty will leave NATO and the free world in a position of solid military strength fully prepared to defend freedom from any assault from the forces of communism led by the Soviet Union.

BANK REFORM

Mr. PROXMIRE. Mr. President, I ask unanimous consent that editorials in the Washington Post calling for congressional action to reform and improve the country's banking legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 4, 1987]

BATTLE OF THE BANKS

The battle of the banks is gathering force. At one level's merely a test of political power between the banks and the securities industry over who can do what kinds of business. But beyond this struggle looms the increasingly urgent need for fundamental reorganization of the whole financial sector—banking, securities, insurance, the works.

Three of the big New York banks appeared before the Federal Reserve Board yesterday to press their applications for the power to engage in several activities at present forbidden to them. They want to underwrite and trade in municipal revenue bonds, commercial paper and mortgage-backed securities—all of which, they convincingly argue, would be less risky than conventional bank lending. But the current rules leave those activities to the securities industry, which naturally enough is vigorously protecting the status quo.

The hearing itself was a sharp and clear example of the way not to proceed with this basic financial reorganization—piecemeal, quarreling over one subcategory of securities at a time, with much attention to narrow legalities and little thought to the broad architecture of the evolving result. The Federal Reserve Board has already said that the expanded powers at issue here are appropriate for banks. As its chairman, Paul Volcker, said, the question isn't what's right but what's legal under the controlling law, written in 1933 in the depths of the Depression. Answers that make sense will require revision of the law, he observed—and that requires action by Congress. The Senate Banking Committee under its new chairman, William Proxmire, has been holding interesting hearings, and it looks as though substantial legislation may at least be introduced this year.

The sense of urgency is rising. The rapid development of the securities markets is making it possible for many big businesses to go directly there for financing rather than depending on the bank loans that were traditionally central to most banks' profits. That's why the banks are trying to fight their way into the securities business. The 1933 law was supposed to keep them separate, but people on both sides have been chipping away at the wall and reaching through the chinks. The radical deregulation of the London financial markets last year has raised the bankers' level of anxiety here. American banks, through their British subsidiaries, can now carry on securities transactions prohibited to them here—and they fear that their business will increasingly drift abroad if the American law is not changed.

Congress usually prefers to move one step at a time in a subject as complex as this one, and that's often the wiser choice. But the restructuring of financial services is an exception. Here the circumstances require change that is profound, rapid and sweeping.

[From the Washington Post, Feb. 11, 1987]

REFORMING THE BANK LAWS

Only one thing is really clear about American regulation of banking: the present rules urgently need fundamental reform. Most of the big banks are frantically at work to find legal ways into other kinds of financial businesses that, they think, will be more profitable than conventional lending. A number of commercial companies such as Sears Roebuck are going as close as the present law allows—and that is very close indeed—to running banks of their own. A bank with a London subsidiary can do all the kinds of securities underwriting and dealing there that American law—most of it written in the Depression—forbids them from doing here. Meanwhile, bank failures continue at the highest rate since 1933, and not all of those failures are little rural banks.

Congress is going to have to act, and soon. But before it begins, it needs a sense of the system as it ought to be. The president of the Federal Reserve Bank of New York, E. Gerald Corrigan, has proposed a structure for the future financial market that splendidly illuminates the key issues.

He suggests dividing the whole financial field into three basic categories of institutions: banks (and thrifts) that take deposits, other financial businesses such as securities firms, and financial subsidiaries of commercial companies such as Sears. As he puts it, the institutions would be "free to choose their own places on the financial landscape." In this plan the distinction between the first two categories is a bit fuzzy, because he would allow banks to go into a broad range of the services now denied to them—in insurance, for example, and in securities. It's the distinction between banking and commerce that he regards as crucial. And that's a major point of difference with the Treasury Department, which sees no reason why commercial companies shouldn't own banks.

If commercial companies were allowed to go into banking, regulation would have to be very complex. Suppose a manufacturing company were to own a bank. Can the bank be prevented, as a practical matter, from discriminating in its lending against the parent company's competitors? The possibilities for conflicts of interest are manifold. Worse, is it really possible to build firewalls strong enough to insulate the subsidiary bank from the troubles of a parent that is failing? The Treasury thinks that adequate firewalls are possible. Mr. Corrigan replies that much experience has shown the great difficulty of keeping the affairs of affiliates separate from those of their parents.

These questions need to be settled on the side of caution, but they need to be settled authoritatively—and soon. The pressures on the financial system are rising. Continuing to procrastinate and muddle through in the manner of the past several years, as Mr. Corrigan also observes, would be highly dangerous to the country's economic health.

[From the Washington Post, Apr. 5, 1987]

BANKERS' LAMENT

The banks' campaign to diversify their business is not going well. They want to get into insurance, real estate and, above all, securities. Their lawyers have been pressing the regulators to let them go ahead. But the Senate has now passed an 11-month moratorium against any further expansion into these greener fields.

The Senate was responding to the shrieks of protest from the people whose turf is threatened—the securities industry, and the insurance and real estate agents. But it is also deeply uneasy about the haphazard and piecemeal way that banks' powers are being redefined. It's happening not by any rational plan but through a process of picking loopholes in obsolete laws. The senators are right to worry about the stability of the result.

The banks argue, with good reason, that conventional lending is becoming less profitable for them. Many borrowers can now raise loans by selling securities directly to investors in Wall Street. That cuts out the banks. They want to follow their customers into the securities market. Fair enough, but there's another side to the case. The economy is now in the fifth year of expansion, interest rates are (by the standards of the 1980s) low, and the stock market is booming. Yet amid all that prosperity, bank failures are currently running at the highest level since the Depression. If that many bankers have got themselves into serious trouble through misjudgments in lending, the part of the business they know best, it's fair to ask whether admitting banks to new and unfamiliar kinds of businesses will necessarily make them stronger and sounder.

In principle, there's a good case for letting the banks go into other financial businesses—but only with certain careful conditions. If banks are to underwrite securities, they should not be permitted to do it with federally insured deposits. Deposit insurance would act as a subsidy to which the other players in the securities game don't have access. The tie-in rules need to be sharper and clearer. A bank should not be permitted to make a loan to a company contingent on, let's say, getting that company's insurance business. And in these exciting new ventures, how safe will the customers' deposits be? In passing the moratorium, the Senate was saying that it hasn't thought its way through these questions. But the financial world is changing and, one way or another, the banks have to respond to those changes.

The House is apparently going to pass a bill with no reference to a moratorium, leaving the final decision on it to the conference committee. The only justification for enacting it into law would be a firm intention in Congress to proceed with broad and substantial banking reform legislation within

the next year. Otherwise, this moratorium would be mere procrastination.

U.S. DEFENSE COSTS OVERSEAS

Mr. SASSER. Mr. President, 7 years ago, Europe and Japan were providing almost 50 percent of total allied defense spending. Today their share is barely 30 percent.

While America devoted financial resources to building up the free world's defense, our allies have concentrated, instead, on building up their own domestic economies.

This trend—the decreasing allied share of the common defense—simply must change in the coming years. The United States can no longer support—unilaterally—the enormous defense expenditures that are necessary to defend democracy and freedom throughout the world.

Certainly, our allies have the economic capacity to carry their fair share of defending our common interests. They are no longer war-ravaged economies. Instead, today, they account for over 52 percent of the free world's gross domestic product.

Mr. President, in past years, senior Pentagon officials have failed to take seriously the issue of defense burden sharing. Instead, they have been satisfied to defend existing levels of allied defense spending.

I am pleased to report, however, that Defense Secretary Carlucci appears to take this issue very seriously.

For the first time, a thorough report on specific burden sharing initiatives to be undertaken in the coming year is being prepared by the Department of Defense and is being fully coordinated with the Department of State and the National Security Council.

I want to commend Secretary Carlucci for his leadership and for the degree of cooperation he is demonstrating in his approach toward securing greater allied defense contributions.

Of course, a great deal remains to be done. We cannot turn around a decade of neglect overnight. But we can initiate new approaches and establish a new outlook toward the burden sharing issue.

The challenge for the next administration is to exert firm diplomatic pressure to convince our free world friends that defending our values and our interlocked economies is a common necessity.

Today, I want to urge that two new burden-sharing initiatives be undertaken.

First, the administration should seek an agreement with our NATO allies—prior to negotiating conventional arms reductions with the Soviet Union—that the United States will receive the largest share of approved weapons and troop cuts in Europe.

Here we are, almost a half century after the Second World War, with 300,000 American military personnel in Europe, supported by over 330,000 civilian employees and dependents. The cost of maintaining this Defense Establishment in Western Europe consumes well over one-third of our total U.S. defense budget.

Our goal in upcoming conventional arms talks must not only be the establishment of a more stable military balance with the Soviets, but we must also seek to reduce costly United States deployments abroad and leave Europe more responsible for the defense of its own territory.

Second, Mr. President, we are currently engaged in several military base rights negotiations, and new base rights negotiations will be undertaken next year.

I firmly believe that base rights are a tangible measure of burden sharing.

But I am sorry to say that the Secretary of State has castigated Congress for cutting foreign aid expenditures. He believes that foreign aid reductions will make base rights more difficult to secure.

Indeed, it does appear that the price of maintaining U.S. military forces in some foreign locations will be higher rent payments in the form of foreign aid.

Mr. President, I believe the time has come for the United States to seek the establishment of a new multilateral defense compact and the creation of a fund for making economic and security assistance payments to the less wealthy countries which agree to the basing of allies troops and equipment on their soil, a burden that will be shared commonly by all of the NATO allies.

Many of our allies demur from expanding their own military capabilities. Frankly, at least in the case of Japan, we do not seek the creation of a potentially destablizing military force in the Far East. Most of the countries in the Far East are not interested in seeing a remilitarized Japan.

But our allies can share in providing foreign aid payments to countries that agree to allied military base rights.

Mr. President, the formal multilateral arrangement I am recommending would operate much as the NATO infrastructure program.

The more wealthy countries would contribute a certain percentage of the cost of foreign aid payments made to the less wealthy countries that agree to maintain military bases on their soil.

Frankly, I do not foresee a public consensus in the United States for larger and larger foreign aid budgets. Quite the contrary. I think there is considerable pressure from the grassroots level of this contry for smaller and smaller foreign aid budgets, and I do not think that the argument that these expenditures are for base rights countries is going to make the argument for more foreign aid any more palatable to the average American taxpayer.

The establishment of a new multilateral financial institution for the purpose of assisting base rights countries is, in my view, a very realistic and appropriate burden sharing initiative for the United States, NATO and Japan.

Mr. President, these two suggestions are intended to be constructive and I hope will serve to urge the administration to take some new, bold, innovative approaches to this issue.

The American people are coming fast to the realization that the United States has been paying more than its fair share for the defense of the free world now over a period of many, many years. It is high time that our NATO allies and others came forward and paid their share of the common defense.

Mr. President, one of the most important tasks facing the next administration is securing a more equitable distribution of the defense burden among our allies.

Seven years ago, our European allies and Japan were providing 47 percent of total allied defense spending. Today, their share is barely 30 percent.

Those numbers tell the story of the 1980's—both in terms of defense and in terms of the world economy. While the American people have devoted their energy and financial resources to building up the free world's defenses, our allies have concentrated on building their own domestic economies.

That not only explains the steady increase of our defense budget, it also explains, in part, the steady decline of our economic might.

In my judgment, the trend of decreasing allied involvement in the common defense simply must change in the coming years.

America can no longer support—unilaterally—the enormous defense expenditures that are necessary to defend democratic freedom in a world that is growing steadily more troubled and steadily more complex.

Clearly, our alllies have the economic capacity to carry their fair share of defending our common interests. They are no longer war-ravaged economies. Instead, today, they account for over 52 percent of the free world's gross domestic product.

For serveral years, the Subcommittee on Military Construction Appropriations, which I chair, has urged the Department of Defense to take specific actions to secure an increase in our allies defense contributions.

But each year, Pentagon officials have failed to take any steps, preferring instead to defend the existing levels of allied defense spending.

Mr. President, I am pleased to report that, from what I have seen so far, Defense Secretary Frank Carlucci takes this issue very seriously. In last year's continuing resolution, my subcommittee made a number of specific suggestions for improving our allies defense contributions. Secretary Carlucci has directed the Pentagon to fully comply with the requirements of the continuing resolution. I am pleased to advise the Senate that, for the first time, a thorough report on specific burden sharing intitiatives to be undertaken in the coming year is being prepared by the Department of Defense and is being fully coordinated with the Department of State and the National Security Council. I want to commend Secretary Carlucci for his leadership and for his very forthright approach to the issue.

Mr. President, Secretary Carlucci has also responded to the requirement of my subcommittee that our NATO allies should pay the cost of moving the F-16 wing currently based in Spain. And during his last trip to Europe, I believe he made substantial progress toward assuring the integrity of the F-16 mission and southern flank defense.

Mr. President, I am pleased with the degree of cooperation and leadership Secretary Carlucci is showing in his approach toward securing greater allied defense cooperation.

Of course, a great deal remains to be done. We cannot turn around a decade of neglect overnight. But we can initiate new approaches and establish a new outlook toward the burden sharing issue.

The challenge for the next administration is to exert firm diplomatic pressure designed to convince our free world friends and trading partners that defending our values and our interdependent economies is a common necessity.

I would urge the administration, that prior to sitting down with the Soviets and Warsaw Pact to negotiate conventional force reductions, that we establish within NATO an agreement that the United States will be able to enjoy the largest share of weapons and troop cuts.

Our goal in upcoming conventional arms talks must not only be the establishment of a more stable military balance, but we must seek to reduce costly U.S. deployments abroad and leave Europe more responsible for the defense of its own territory.

Mr. President, currently we are also engaged in several military base rights negotiations and a number of others must be renegotiated in the coming year.

In my view, base rights are a tangible measure of burden sharing. The Secretary of State has castigated Congress for cutting foreign aid expenditures. He believes that foreign aid reductions will make base rights more difficult to secure. Indeed, it does appear that the price of maintaining U.S. military forces in several foreign locations will be higher rent payments in the form of foreign aid.

Mr. President, I believe the time has come for the United States to seek the establishment of a new multilateral defense compact which creates a fund for making security assistance payments to countries which agree to the basing of allied troops and equipment on their soil.

Many of our allies demur from providing more expenditures and expanding their own military capabilities. Indeed, at least in the case of Japan, we do not seek the creation of a destabilizing military establishment. But our allies can extend increased foreign aid payments to countries that agree to allied military base rights.

Mr. President, I am recommending the establishment of a formal multilateral arrangement, which would operate much as the NATO infrastructure program does. Each country would contribute a certain percentage of the cost of foreign aid payments made to the less wealthy countries that agree to maintain military base on their soil.

Frankly, I do not foresee a public consensus in the United States for larger and larger foreign aid budgets—even if those expenditures are for base rights countries.

The establishment of a new multilateral financial institution for the purose of assisting base rights countries is, in my view, a very realistic and appropriate burden-sharing initiative for the United States, NATO and Japan.

Mr. President, I urge the administration to be very forward thinking in their approach to securing equity in defense spending with our allies.

The suggestions I have made today and the recommendations of my subcommittee are intended to be constructive, and I hope will serve to urge the administration to take some bold, innovative approaches to this issue.

The Subcommittee on Military Construction Appropriations will hold a special hearing on the subject of base rights and burden sharing on Monday, March 21 in Dirksen 192 at 10 a.m. We will be taking testimony from a number of senior defense and military officials.

Mr. President, at this point in the RECORD, I ask unanimous consent to print in the RECORD those portions of the report which accompanied the Senate's military construction appropriations bill dealing with the issues I have been discussing.

There being no objection, the material ordered to be printed in the RECORD, as follows:

DEFENSE BURDEN SHARING

The Committee strongly supports House language that stresses the fact that our allies should assume a greater role in the defense of Europe and should assume a larger share of the financial cost of that defense. The United States also makes considerable investment in other areas of the world such as the Pacific and Southwest Asia, in an effort to promote peace and stability. The latest Department burden-sharing analysis indicates the United States provides 70 percent of total allied defense spending. Other NATO countries and Japan provide only 30 percent although they account for more than 52 percent of allied wealth as measured by gross national product. The United States cannot continue to shoulder such an unequal share of the financial investment required to maintain peace and stability around the world.

Past efforts by the Committee to encourage more sharing of the financial burden of the common defense have yielded little in the way of results. For the past several years, including this year, the Committee has made significant cuts to overseas construction projects. The rationale for these cuts has been, in part, to make the Department attentive to the fact that positive steps should be taken to reduce the cost of defense overseas by (1) encouraging host nations to share the cost, and (2) reducing the base infrastructure overseas. To date, these efforts have not achieved the desired results. Instead, projects previously approved for construction overseas will now cost $700,000,000 more than originally appropriated, due to currency fluctuations; the Department is steadily increasing the overseas base infrastructure; and, most importantly, American military personnel overseas are being subjected to a continual decrease in the quality of working and living conditions. The Committee, therefore, proposes the following actions:

Alternative force structure study.—For the past several years, Congress has supported many new initiatives requested by the Department of Defense to reduce the gap between Soviet bloc and Western conventional defense capabilities.

However, fiscal realities which will be faced in future years must be recognized. The probability of slower growth in future defense budgets indicates that our limited financial resources must be maximized to assure the Nation's defense posture is not eroded, especially our conventional posture, as nuclear weapons reductions are initiated.

Available resources will not likely permit substantial real growth in every mission activity. The Committee, therefore, believes that a reevaluation of the existing force structure should be undertaken by the Department of Defense. The committee believes that fiscal limitations must lead to the consideration of new force structures which provide a force mix designed to maximize defense capabilities at the lowest possible cost to the taxpayer.

The Committee is aware that conventional force enhancements are often more expensive than strategic force enhancements. Thus, in an era of fiscal limits, such enhancements will be difficult to achieve, unless the United States and our allies adopt a comprehensive, coordinated and fairly shared defense strategy.

The Committee, therefore, directs the Department of Defense to provide the Committee with a detailed report by June 15, 1988, which outlines alternative force struc-

tures, which will achieve net reductions in defense spending. The Committee directs the study include alternative structures such as reducing the number of active duty units and replacing them with National Guard and Reserve units as allies assume more Active Force military missions abroad.

The Committee believes that alternative force structures will substantially impact the programming, planning and budgeting of military construction projects, particularly overseas and in Guard and Reserve accounts. Therefore, in the formulation of future appropriations bills, the Committee will carefully consider the recommendations made in such a report.

Base closures overseas.—The Committee believes the Department has failed to sufficiently investigate the potential of closing bases overseas. As the Committee pointed out in the report accompanying the supplemental appropriations bill of 1987, the Department of Defense maintains more than 300 military installations, activities and properties in foreign countries. The Committee believes that the "Alternative Force Structure Study" will reveal that some foreign bases can be closed, with significant budgetary savings, as allies assume more military missions and U.S. force structures are changed. Specific recommendations for overseas base closures should be included in that study.

Report on burden sharing initiatives.—Last year the Committee included a general provision requiring a report from the Secretary of Defense outlining specific actions which would be taken during the fiscal year to encourage improved burden sharing by our NATO allies and Japan. That general provision became law. However, the Department failed to adequately comply with this requirement of law. The report submitted failed to identify a single new initiative which would be undertaken to improve allied burden sharing. The failure of the Department to adequately address the concerns of the Congress in this matter is one reason the Committee has substantially reduced the construction request for Germany and Japan and why the Committee has directed an alternative force structure study.

The Committee has again included the general provision in the fiscal year 1988 bill. The House has also included this provision. The Committee expects the Department to take this requirement seriously and directs that the report be forwarded by February 15, 1988.

Family housing and community support.—U.S. military families living abroad provide a substantial economic benefit to host nations. It is very expensive, however, for the U.S. defense budget to finance the construction and operations of family housing and military community support facilities.

The Committee recognizes the political difficulty of securing host nation support to increase U.S. warfighting capabilities in some foreign countries. However, the Committee believes it is appropriate to seek host nation support for U.S. military family housing and community facility construction and operations. The Committee directs the Department to seek bilateral discussions with allied countries aimed at securing such contributions.

NATO out-of-area activities.—The Committee is especially concerned with the failure of U.S. NATO allies to provide adequate support for alliance security interests outside the NATO region. Currently, there is no formal organzation within the NATO structure for developing and coordinating NATO policies outside the prescribed treaty area. The Committee urges the Department of Defense to work with the U.S. Mission to NATO to stimulate discussions within NATO on the creation of a formal consultative group on out-of-area activities.

Reporting requirement.—The Committee directs the Department should make maximum use of alternative funding sources for projects requested in overseas locations, specifically projects which are eligible for NATO Infrastructure, the Japanese Facilities Improvement Program or the Korean Combined Defense Improvement Program [CDIP]. Beginning with the budget request for fisical year 1989, the Department is required to include on the form 1391's for each project requested in Europe, Japan, and Korea, a statement indicating if the project is eligible for NATO, JFIP, or CDIP, the reason is it not eligible if it is not; if it is eligible, when it was submitted for funding; and if it was turned down for such funding, what was the stated reason.

The Committee believes such a reporting requirement will lead to better understanding of the burden sharing issue.

Master restationing plan.—United States Army units in Germany are based primarily in the same locations they were in at the end of World War II. Because many of these locations are not efficient for effectively responding to the modern Warsaw Pact threat, the Committee in 1980 endorsed a master restationing plan [MRP] which would have resulted in the relocation of critical warfighting units to better, more effective locations. Unfortunately, MRP failed to be financially supported by the West Germany Government. The failure of MRP is a glaring example of the lack of support for allied burden sharing measures.

MRP failed, in part, because senior U.S. Government officials did not assign a high enough priority to successfully concluding such burden-sharing arrangements. As a result, many U.S. Army units remain in malpositioned locations.

Since the failure of MRP, the Army has sought to unilaterally fund the modernization portions of the plan. A total $51,400,000 is included in this bill for construction of facilities at Vilseck for that purpose.

The Committee continues to support the primary purpose of MRP. Some U.S. Army units still should be relocated. However, the Committee will not continue to support unilateral U.S. financing for such relocations in future years. The Committee, therefore, urges the Department to again seek bilateral discussions with the West German Government for the purpose of developing a restationing plan which could be fully supported and shared.

Wartime host nation support.—The Committee has approved $4,500,000, the full budget request for wartime host nation support [WHNS]. Funds included in the bill are for phase 2 of a four-phase burden-sharing agreement concluded with the West German Government in 1982. Under this agreement, the Federal Republic of Germany will provide 85,000 reservists to man critical combat and combat support units during crisis or war. The United States agreed to share in the cost 50-50 of constructing facilities to support WHNS operations.

The Committee believes the WHNS agreement represents an appropriate burden-sharing arrangement and urges the Department to explore other similar opportunities for common defense financing.

NATO INFRASTRUCTURE PROGRAM

The NATO Infrastructure Program is the only pure burden-sharing program funded in this bill. It represents the kind of cooperative effort which would become more commonplace between the free world's allies.

The Committee has provided $368,000,000 to support the infrastructure program. The Committee has made a reduction of $10,000,000 as recommended in the Senate authorization bill.

The Committee believes the U.S mission to NATO should seek an additional expansion of the NATO infrastructure program. While the Committee is pleased with the current expanded 6-year slice group, the Committee believes the NATO allies have the economic ability to provide increased contributions over present levels. The Committee would enthusiastically support increased appropriations for the U.S. share of such an expanded program.

The Committee agrees with the House that the U.S. mission to NATO should press for an expansion of NATO funding criteria to reduce the amount of U.S. unilaterally funded construction. Much of the large reduction in U.S. construction in Europe was made because the Committee believes the NATO criteria can and should be expanded.

The Committee opposes any effort to decrease the percentage of infrastructure funds devoted to construction. Since the infrastructure program was first initiated in 1950 as a facilities program, the account has been increasingly utilized to fund what are essentially procurement items. The backlog of specific NATO-eligible construction exceeds $6,000,000,000. Until this backlog is eliminated, facilities should continue to receive priority.

The Committee has included bill language which prevents the U.S. share of NATO infrastructure from being utilized to fund nonconstruction projects whenever the share devoted to construction activities falls below 65 percent. The Committee has also deleted bill language requested by the Department which could be utilized to support expanded nonconstruction activities.

The Committee commends the U.S. Mission to NATO for substantially reducing the backlog of unrecouped prefinanced funds. The Committee continues to oppose prefinancing of NATO-eligible projects, except under the most urgent operational circumstances.

Torrejon Air Base, Spain.—The Committee has approved a general provision expressing the sense of Congress that any facility construction cost associated with moving the 401st Tactical Fighter Wing, based in Spain, to another country should be paid by NATO. This language is identical to language enacted into Public Law 100-71, the Supplemental Appropriations Act of 1987.

In addition, the Committee has approved a legislative provision providing that no funds appropriated to the Department of the Air Force can be spent for facility construction to support a relocation of the 401st.

The Committee believes the 401st Tactical Fighter Wing is important to the defense of NATO's southern flank and does not support its removal out of NATO's theater of operations unless the mission is assumed in full by our NATO allies.

PERSIAN GULF

Since 1980, the Committee has provided almost $1,200,000,000 for construction of facilities necessary to support deployment of

forces which would be assigned to the United States Central Command during a Middle East-Southwest Asia crisis. In this bill the Committee is providing another $36,195,000 for construction of regional facilities in Diego Garcia and Oman. The Committee believes another $300,000,000 may be necessary to provide facilities adequate to preposition sufficient assets which would be needed to respond to regional contingencies.

The Committee is concerned that the United States continues to shoulder the primary responsibility of protecting the free world's oil supplies, notwithstanding recent allied willingness to locate minesweeping assets in the lower Persian Gulf and the Gulf of Oman. Europe and Japan have not provided any funding to assist in the development of the United States rapid deployment force or for construction of facilities to provide regional base access.

The economies of our European allies and Japan are much more dependent on Persian Gulf oil than in the economy of the United States. Therefore, our allies should be willing to pay a portion of future regional facility construction or assist financially in other ways, such as providing foreign assistance to partially offset the cost of defending oil supplies and building facilities necessary for regional bases access. The Department is directed to seek the initiation of bilateral discussions with the allies for that purpose.

Recent events in the Persian Gulf demonstrate that U.S. military forces are not guaranteed access to facilities which are sufficient to support contingencies in the region. As a result, throughout the upper half of the gulf, air cover is not available to protect United States naval warships escorting reflagged Kuwaiti oil tankers.

The Committee does not support the establishment of U.S. military bases in the Middle-East Persian Gulf region. However, recent events in the gulf serve to illustrate the need for additional facility access and prepositioned supplies necessary to support a range of regional contingencies. Lack of assured access and prepositioning is an Achilles heel to meeting potential military challenges in the gulf and, therefore, reduces the deterrent value of forces assigned to support the U.S. Central Command.

The Committee believes the Department should continue to seek access and prepositioning arrangements which are consistent with the sovereign interests of host nations as well as the security interests of the United States. The Committee recognizes that regional political realities may occasionally prevent specific detailed agreements from being concluded. Such constraints should not, however, prevent the United States from pursuing informal arrangements which have a significant potential for meeting access and prepositioning requirements.

The Committee also directs the Department to begin submitting construction project wedges for Central Command facility requirements to shorten the time required to accomplish regional construction. The Committee would support appropriations for such project wedges at unspecified locations with the understanding that funds appropriated for that purpose could not be obligated until the Department has notified the Committee of projects to be constructed in specific locations and 21 days have elapsed, providing the Committee review and consideration.

During fiscal year 1988, the Department is directed to utilize emergency construction authority, under existing procedures, to accomplish necessary construction not previously programmed in the Central Command's area of operations.

CONSTRUCTION IN THE PACIFIC

The Pacific region is increasingly important to the United States strategically and economically. The Soviet Union, in recent years, has vastly expanded its military activities in the region, and economic growth in the Pacific Rim has led to expanded United States trade activities. Clearly, the Pacific region is important to the military and economic security of the free world.

As in Europe, however, United States allies, particularly Japan, are failing to provide adequate funds for the defense of the region. Additional assistance must be provided by allies through expanded host nation support, base access or other creative financial arrangements.

Japan.—The Government of Japan continues to provide mimimal funding for its own defense. The Committee does not support a rearmament of Japan but believes Japan can do substantially more to reduce the United States burden of defending Japan and Japan's oil supplies.

The Committee has eliminated most funding for military construction requested for Japan, except for security and quality of life projects for the Marines on Okinawa. The Committee believes the Department should seek new bilateral discussions with Japan for the purpose of securing additional funds to offset the cost of maintaining the United States military presence. Funding from the Japanese Facility Improvement Program [JFIP] especially should be increased.

Philippines.—The Committee continues to support our strategic bases in the Philippines. However, the Committee is concerned with the continued growth of the Communist insurgency. Recent events indicate United States interests in the Philippines are no longer immune from guerrilla activity.

The Committee believes that until future base access agreements are approved and the insurgency controlled, consideration should be given to reducing accompanied tours in the Philippines. For that reason, the Committee has eliminated funding for family housing and replacement hospital construction. The Committee has approved funding only for those projects of an urgent operational or safety nature.

Korea.—Due to constraints, the Committee has reduced funding in Korea by one-third. The Committee continues to oppose increases in the number of accompanied tours in Korea. Such a policy would cost billions of dollars to support. The Committee believes accompanied tours should only be considered if the Government of Korea agrees to provide the full cost of construction and operations of housing and community facilities necessary to support United States military families.

Mr. SASSER. I yield the floor.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SENATORIAL ELECTION CAMPAIGN ACT

The ACTING PRESIDENT pro tempore. The clerk will report the unfinished business.

The legislative clerk read as follows:

A bill (S.2) to amend the Federal Election Campaign Act of 1971 to provide for a voluntary system of spending limits and partial public financing of Senate general election campaigns, to limit contributions by multicandidate political committees, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Boren motion to recommit the bill, with instructions to report back forthwith, with Boren Amendment No. 1403, in the nature of a substitute, as modified.

Byrd Amendment No. 1404 (to Amendment No. 1403), of a perfecting nature, as modified.

Boren Amendment No. 1405 (to Amendment No. 1404), of a perfecting nature, as modified.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, thank you very much.

Once again I am compelled to speak in opposition to S. 2, the bill which would impose taxpayer financing of Senate elections and limit the spending of campaigns. As we all know, adoption of this legislation would radically change the manner in which citizens will be allowed to participate in the election process.

The legislation before us, S. 2, would attempt to standardize Senate campaigns across the country. It would impose spending limits which are calculated only on population of each State. As proud representatives of these States, we should each be ready to defend the unique characteristics which distinguish our respective constituencies.

Every State has a different set of voter demographics and voter attitudes. These differences will vary the effects of election laws and regulations. In addition to population differences, there are also significant differences in media saturation, population density, political culture, and constituent expectations.

This bill, S. 2, fails to address these areas of diversity. What might be too much spending in one State with a given population, would not be enough spending in another State with a similar population.

The U.S. Senate needs valid input from all Senators to best estimate the resulting consequences or benefits of spending limits for political campaigns. The legislation which we finally adopt must represent the best system of campaign finance for the

collective body of U.S. Senators and for the collective population of U.S. citizens.

Though this legislation would standardize the spending constraints of all elections, it would impose a complicated system of regulations. These regulations would only serve the purpose of finding a way to justify taxpayer financing of an election. I really question whether it would be wise to make the election process any more complicated, either for the voter or for the candidates.

The election process is already fairly complicated. United States voters cast ballots for more elected officials than any other country in the world. Collectively, Americans chose half a million public officials through the ballot. From local school board directors, to State representatives, to Members of Congress, the American voter must select the office holder.

Elections and campaigns are also complicated for the candidate. As one example, it is expensive and time consuming for candidates to ensure compliance with FEC regulations. Most Federal level campaigns require at least one full time staff person to ensure that the campaign is complying with FEC reporting requirements. It does not make sense to me that, on one hand, we would want to limit the amount of spending for campaigns, while on the other hand, we would force more expenditures of time and money to make candidates comply with even more extensive regulations.

The complexity of the election process is important, but probably not as crucial as the hard policy considerations of forcing a highly controversial version of "reform" on the citizenry. Congress has been attempting to "reform" campaign finance law for decades, yet never seems to get it quite "right". The result of all of our "reform" legislation has been higher campaign expenditures, not lower.

But what, exactly, makes campaign spending so bad? Is it an evil that constituents seek to join a group to enable them to have access to information regarding candidates and issues? Is it an evil that our constituents seek to express their opinions as part of a collective voice, in addition to their individual voice?

As stated in the decision in the famous Supreme Court case of Buckley versus Valeo:

> For the First Amendment right to speak one's mind on all public institutions' includes the rights to engage in vigorous advocacy, no less than abstract discussion. Advocacy of the election or defeat of candidates for federal office is no less entitled to protection under the First Amendment, than the discussion of political policy generally, or advocacy of the passage or defeat of legislation.

This passage clearly protects the rights of individuals and groups to advocate a candidate or an issue. The decision further reads:

> * * * the First Amendment was designed to secure the widest possible dissemination of information from Diverse and antagonistic sources and to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people.

Let me reiterate part of that passage. "The First Amendment was designed to secure the widest possible dissemination of information * * *". Why is Congress now attempting to restrict the dissemination of information?

The Supreme Court decision continues with the following key point:

> No governmental interest that has been suggested is sufficient to justify the restriction on the quantity of political expression imposed by campaign expenditure limitations * * *.
>
> Moreover, the equalization of permissible campaign expenditures might serve not to equalize the opportunities of all candidates, but to handicap a candidate who lacked substantial name recognition or exposure of his views before the start of the campaign.

The writers of this decision, Mr. President, fully realized that limiting campaign spending will unfairly advantage the incumbent. I will address this issue more fully later in my statement.

I would like my colleagues to bear with me a little bit more as I relate one final passage from the Buckley versus Valeo decision:

> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution, it is not the government, but the people—individually as citizens and candidates, and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

Mr. President I doubt that campaign spending, in and of itself, is the inherent evil of politics. Perhaps contributions from PAC's should be limited further. Politial action committees are not the inherent evil either.

Let me take just a moment to briefly discuss with you the character of PAC's. "Political action committees" are not specific legal creations of Congress. In fact, "PAC" is a layman's expression to reflect the requirements of the Federal statute relating to "political committees," "separate segregated funds," and "multicandidate political committees."

Oh, I know that you all know what political action committees are. But why do I have to remind you that, quite simple, well-financed political interest groups, and their political professionals, will not be kept out of politics; not by any regulation or statute that Congress could write.

You know, the weather can turn pretty dry in Iowa sometimes; I am sure that many of you can sympathize that your home States can get awfully hot and dry, too. When it has been quite awhile without rain, my lawn starts to turn brown. But you know, the grass that grows up in the cracks of sidewalks, that grass that I am always pulling out because I want to get rid of it, never turns brown. The stuff you do not want, it seems, never dies or goes away.

If PAC's are the grass in the cracks of the sidewalk, if contributions from interest groups are the thing the supporters of S. 2 are trying to prevent, I doubt that this legislation will do it. Just like the grass in the sidewalk cracks never turns brown, citizens will always find ways to group together and influence campaigns.

One of the most obvious ways in which interest groups do now, and will continue to do, is to spend independently on a candidate's behalf. S. 2 assumes that campaign spending can be limited by the amount that a candidate reports to the Federal Election Commission. But, limits on contributions and spending will not limit independent expenditures.

I know that S. 2 provides that independent expenditures would trigger a taxpayer financed grant to the opponent of the candidate who benefits from an independent expenditure. But, it seems that this would be easy for candidates and their supportive interest groups to circumvent. Examples might run the gamut from selective voter registration drives to indirect advertising.

Besides, I am not at all sure that we really want to prevent citizens from joining together. I am not all sure that we want to cut ourselves off from comment and input from the people we represent.

Why are we determined to blame persons and associations outside this institution for wanting to influence us? Isn't that more of a reflection on us, that it is on them?

If a Senator thinks that contributions from political action committees are bad, then that Senator may refuse to accept contributions. If the public really believes that PAC contributions are bad and a candidate is accepting large amounts of PAC contributions, then the voters in that election have the opportunity to vote against that candidate.

The voters are the only true judge of the campaign finance activities. Mr. President, I suggest that we defeat this bill. I further suggest that we then let the voters decide what type of campaign financing they would like. I think they will do that in the next election, regardless of what we attempt to do in this Senate.

Mr. President, we have heard hours and hours of debate on this issue. Much of it has been directed on the

advantages and disadvantages of taxpayer financing of Senate elections.

Some of my deepest concerns, however, are directed on the effect this legislation would have on the two party system of this Congress.

Thats right. I think adoption of S. 2, the Senatorial Election Campaign Act could just as well be called the Democratic Senators Election Campaign Act. The simple fact remains, and the majority party has not been able to satisfactorily refute it, that this bill would give the incumbent Democratic majority distinct and unfair advantage.

In fact, I have sometimes thought it would be a whole lot simpler and more honest if the majority party would write another substitute amendment that would simply say: "The Republican Party ceases to exist."

The Democratic incumbents' advantage would be realized in the spending limits attached taxpayer financing. Spending limits inherently favor incumbents.

Challengers do not have to spend more money than incumbents to win. But challengers must spend enough money to win. They need to spend at least enough money to bring their case to the voters.

As much as I recognize the hazards in spouting statistics, I simply cannot avoid the data which illustrate the painful truth about campaign spending. Political science research very definitely shows that money has a greater benefit to some campaigns than to others. More to the point, increased spending does not favor incumbents. In fact, political science research indicates that incumbents may actually do worse in elections if they spend too much money.

Money, however, really is the "make or break" component in the campaign of a challenger. There is a very interesting reactive trend to the money raised by an incumbent. And that is, it increases or decreases in response to the challenger. Obviously, incumbent Senators do not have to raise as much money when they do not face formidable opponents. A challenger, however, cannot begin to launch a credible campaign without spending enough money to communicate effectively with the voters.

As described to the Senate Rules Committee by Michael Malbin, professor of political science at the University of Maryland, and author of two books and many research articles on the subject:

> Incumbents are well known, and the marginal utility of a dollar spent by a well known person is less important than a dollar spent by a less well known person. Incumbents are better known than challengers * * *.
>
> It should be clear from the numbers that what separates the few close races from the rest is not the money raised by incumbents, but the amount raised by challengers. Equalizing campaign funds would do nothing to help the vast majority of seriously underfunded challengers, but limits would prevent the best challengers from making their case against incumbents who start off with more than a $1 million advantage in office account funds.

By allowing a challenger to raise enough money to deliver an election message, the better able the voter will be to make a clear cut choice. A choice between candidates, between candidates of comparable visibility and credibility, is one of the most essential components of an electoral democracy.

There is no secret that, for several election cycles, conservative political action committees have targeted incumbent Democratic Senators for defeat. The effects of targeting were very apparent in 1980, for example, when four targeted Democratic Senators were defeated. Obviously, there were many factors contributing to the success of these four Republican challengers, not the least of which is the obvious high quality of the challengers.

Such targeting, however, provides many challengers the seed money needed to initiate a creditable campaign. This is necessary, because contributors tend to direct their resources to candidates with high probability of success. Therefore, it usually takes money to raise more money.

One noted political scientist summarized the effects of incumbency like this:

> Voter "information varies with a number of factors, including challenger spending. We now see that the visibility of the challenger is directly related to the vote. While the question needs more attention, part of the recent upsurge in Senate competition may be a product of increased challenger spending.

Mr. President, the ability of the challenger to spend enough money to provide voters adequate information to make a choice is the only way to maintain the two party system in which our democracy flourishes.

I urge my Senate colleagues to oppose S. 2, the Democratic Senatorial Election Campaign Act.

The PRESIDING OFFICER (Mr. SHELBY). The Senator from Iowa.

Mr. HARKIN. Mr. President, debate has been going on for several months now, both on this floor and also in the news media across the country on S. 2, Senatorial Election Campaign Act of 1987. I want to take this time, Mr. President, to give some of my thoughts on this bill and, of course, to urge bringing it to the floor expeditiously so that we can have amendments to it, vote the amendments up or down, and, I hope vote the bill out.

I do not think there is any doubt, Mr. President, that we have the votes to pass the bill. I do not think there is any doubt any longer that the vast majority of the American people support S. 2, and certainly the vast majority of the media, in both printed editorials and editorials on television and radio, support S. 2.

Mr. President, the role of money in politics is an old problem, but the costs have escalated in recent years and, as they have, the problem has intensified to the proportions that I think truly endanger our democratic foundations. Every Member of Congress, just like every citizen, favors honesty and fairness in our electoral system. The debate today is not about honesty and fairness.

After all, like apple pie, motherhood, and education, the need for integrity in our political process is one of those things you not argue against. Sustaining our great system of democracy depends on honesty and fairness and integrity in the electoral process.

Thus, it seems to me that the need to reform our campaign financing system is as crucial as any issue that we face today. We have an opportunity, now, to take a giant step in this direction, a step that could lead not only to a saner and more honest electoral system, but also to a restoration of faith in government and politics.

As one who has been a participant in some form of government service for most of my adult life, I am dismayed by the decline I perceive in public respect for the profession of politics. Every year, it seems, fewer Americans bother to go to the polls to vote. While I am disturbed by this development, I can also understand it. The headlines are always full of stories about how elected officials are failing the American people, but they certainly are not failing the special interests.

Mr. President, it is time that we address this one weak link in our democracy. But there is something even more than just weakness of policy or character that turns people away from politicians. I believe that is that lack of confidence that we have in our electoral process. Because campaigning has become so expensive, time consuming, and almost totally dominant in the whole process of governing, many Americans perceive that government is not responsive to individuals but only to wealthy special interests. We must change both this perception and, indeed, I think, also this reality. We have to bring government back to the people and people back to the government. We can begin to achieve this now by adopting S. 2, the Senatorial Election Campaign Act.

I want to take this opportunity, Mr. President, to publicly compliment the distinguished majority leader, Senator BYRD, who has fought for this bill for a long time and who has gone on the record, time after time, saying that we have to pass this election reform bill. We had the bill before the Senate last year. We were frustrated seven times, I believe, when we tried to vote clo-

ture. We came close, but we didn't get the votes to pass it. Yet the majority leader has hung in there because he truly understands how we must restore the faith of the American people in our electoral process and why this is the best way to do it.

I must say, Mr. President, that I do not think anything short of a national catastrophe, which we all hope is not forthcoming, will bring the American people back to the political process in greater numbers or more rapidly than the passage of S. 2. As I said, I can understand why people stay away, why they do not go to the polls, why they do not get involved in the political process.

Normal, average, working Americans have maybe a few dollars to contribute; maybe they have a little bit of time. But they are overwhelmed by the massive amounts of money that come in through the special interests, through PAC's, through bundling, through all kinds of things. So they say: What do my few dollars count? What good does the little bit of time I can spend doorknocking or down at campaign headquarters do when I am overwhelmed by the forces of special interest money? So that is why this bill is so drastically needed this year—to get the American people back involved in the political process.

Just look at the numbers. I know the numbers have been set forth here time and time again, but they have to be repeated and repeated and repeated until they finally sink in. Spending in Senate races has increased almost fivefold, from $38.1 million in 1976 to $180 million in 1986. A winning Senate candidate spent an average of just over $600,000 in 1976. Ten years later, it costs an average of $3 million

Mr. President, I can tell you in my own race in Iowa in 1984, my campaign spent about $3 million. So I guess I was about the average. My opponent spent about the same. The question is: Do you really need $3 million to run a Senate campaign in the State of Iowa? The answer is: No, you do not need that much money. But if you are going to be competitive, buying media time and having all the ads, you simply have to do it. You have to be competitive. But it does not take that much money. I would say that I could run a very decent, hard-hitting campaign in the State of Iowa in 1990 at half the amount of money we spent in 1984. I have no doubt about it. And I have no doubt that under these spending limits my opponent, whoever that opponent is going to be, will have every bit as much access to the public, to the media, and can make his or her case just as well as I made it against the incumbent in 1984; again, with half as much money.

I will tell you another thing this bill will do, Mr. President. With the limits that it has on it, it will give us a lot more time to go out and make our case to the public. I listened to Senator REID here the other day, when I was occupying the chair. He was very honest and I compliment him on his honesty. He said he spent 75, maybe 80, percent of his time raising money just to run in Nevada last time. He discussed how once you get elected to office, you have to start raising money again right away. That is true. I daresay it is going to take probably over 50 percent of any Senator's time, at a minimum, just to raise the money necessary to campaign for office.

As Senator REID so eloquently stated, that is the time we ought to be spending back in our constituencies, meeting with people, understanding their needs, debating, perhaps, with our opponents. Instead we are on the phone, day in, day out, having fundraisers here, calling this PAC, calling that PAC, trying to raise the money to buy the ads on television.

Quite frankly, I do not know anyone that likes the present system. Certainly incumbents do not like it. They spend all that time raising money. Challengers do not like it either because they have to do the same thing. They have to spend just as much time and effort raising money and going to PAC's and such. I do not think the PAC's even like it any longer. I am not saying the PAC's want to be put out of business, but I think it has gotten to the point that they are just overwhelmed by the amount of requests that come in and the amount of money that they have to raise in order to be competitive. Everybody has to be competitive here, so PAC's go out and raise a lot more money because if Senator so-and-so calls, they had better answer.

The whole thing becomes kind of a maelstrom of one person, one entity, trying to outbuy the other; whether it is one PAC or one incument Senator or one challenger. The whole thing has just degenerated into a money-making machine.

We have professional organizations out there now that do nothing but raise money for candidates. That is their whole goal, their whole reason for existence. They just raise money. They are professionals at it.

Well, I do not deny anyone the right to engage in a lawful business, and certainly what PAC's do is legal. But again, I have to question just what it adds to our system of government, to have entities out there whose role purpose, sole reason for being, is simply to raise money for challengers or incumbent Senators. I do not mind if they do that, but I really have to question what it adds to our process.

Mr. President, as I mentioned, fundraising does not just take a few months, not even a year. As soon as a Senator is elected here, that Senator better start raising money for the next election 6 years down the pike. Everyone here does it, and to deny that is to deny the obvious and to deny what is also on the record.

I do it. Every other Senator does it. You start raising money right away, as soon as you come here.

I think, as a result, what happens is that qualified men and women who cannot bear these kinds of time commitments and financial risks are driven away from running for office.

We all lose when good people choose not to run for public office. Clearly, we have go to get our campaign spending under control. And at the heart of S. 2 lies a provision that will effectively pull the reins—voluntary spending limits.

I do not need to go through the Buckley versus Valeo decision. I wish the Supreme Court had gone the other way in their 5-to-4 decision. If they had, we probably would have had spending limits right now. But the Supreme Court decided as they did, and so we have to go a different route.

What S. 2 does is confine itself to the constitutional balance by allowing candidates to abide by the spending limits to be eligible for certain benefits, including reduced mailing and telephone advertising rates.

Originally S. 2 provided a system of public financing as an inducement for candidates to limit their spending. As the Presidential public financing system has so well demonstrated, this method can and does work. Not only has it kept campaign spending in check; it has opened the process and broadened the campaign funding base.

Unfortunately, however, in an effort to meet objections to the bill, the public financing portion was diluted.

Now public financing from the tax-checkoff fund will be made available only when one candidate refuses to abide by the spending limits.

Even in this limited form, I think the public financing provision is an important one. I was in favor of the previous bill and the public financing provisions in that bill. I have been in favor of public financing of senatorial and congressional campaigns ever since 1976 when the first public financing for Presidential campaigns went into effect. I really believe that is the way it ought to go. Whether or not we will get to that point sometime, I do not know, but I will continue to argue for that position. I believe what we have in this bill is a good step in that direction.

I do not know if we will ever get to full public financing, probably not, but there should be some form of blended public financing and reduced PAC's.

I think PAC's should be alllowed to give to campaigns, just not as much as they are giving, and, of course, mandating the candidates go out and raise a certain amount of money in small

contributions. I think those three aspects combined would perhaps be the best system.

Public financing is not a cost to the American taxpayer. I think it represents a savings. Public financing will save the Treasury and the American people many, many times more than its actual cost through reductions in favorable treatment which contributors might receive through special interest legislation.

The establishment of a limit on the total amount of PAC contributions a congressional candidate may accept is another important limit.

I want to be out front on this. I not only accept PAC money, I am the head of a PAC myself, and I certainly do not believe that PAC's are in any way evil entities.

There is nothing wrong with groups of individuals trying to advance their causes and joining together to do so. It is a first amendment right.

I think PAC's have every legitimate right and a legitimate role in exercising that right, but I do think that the current balance between the influence of PAC's and the influence of ordinary citizens is uneven. The system needs to be leveled out a little bit more in favor of the ordinary citizen.

The bill does this, not by prohibiting people from joining PAC's, not by prohibiting PAC's from giving money, but by limiting the total amount of aggregate PAC money that any one candidate can receive.

An individual PAC can still give $10,000—$5,000 preprimary, $5,000 for the general—but we limit the total amount that a candidate can receive depending upon the population of that State. I think that is an important limitation.

As I said, I do not want to do away with PAC's. I heard the distinguished Senator from Kentucky [Mr. MCCONNELL], one of the leading opponents of S. 2, state last week that he had introduced a bill last year, to do away with PAC's. I was wondering why no one joined him on that. Some of us do not believe PAC's are inherently evil. I do not. I think it becomes bad when you do not have any limits. You can look at what happened to PAC's over the last 10 years, how they have grown from just a few PAC's to now thousands of PAC'S. That is really what the problem is.

PAC's ought to be allowed to give money, but there should be a limit on how much you can get as a total aggregate from PAC's. Again, I think that will give the people the right to join together to advance their interests and to donate money to an incumbent or challenger.

I think these provisions, voluntary spending limits and PAC limits, are essential to a meaningful campaign reform bill. In addition to these, the bill contains several other provisions which will fine tune the law.

For instance, the bill protects against the abuse of independent expenditures made against a candidate or for his or her opponent. It prohibits bundling and places disclosure requirements on the use of soft money.

Those three things, Mr. President, are all very important—independent expenditures, bundling, soft money. Those can all come in, and I have seen them used against Democrats, against Republicans, against liberals, and against conservatives. The idea of independent expenditures with some individual, maybe a group of individuals, coming into a State and just dropping a bundle of money in negative advertising against a candidate really ought to be stopped.

Again, there are certain fundamental first amendment rights that cannot be violated, but this bill does protect against the abuse of independent expenditures, and it does it in a meaningful way, and being one that does meet those constitutional guidelines.

The same can be said of bundling or soft money. Another thing that turns off a lot of people in our country is negative campaigning—where a group comes in from another State, and without having any contact with the candidate they want to support, engages in big negative advertising campaign against their candidate's opponent.

Again, I think that turns a lot of people off. There ought to be some way that we can reduce the influence of that. This bill does that.

I think you will find the vast majority of American people supportive of any efforts that we can do to stop that kind of negative campaigning.

Mr. President, I hope campaign reform can finally become a reality. It is an issue whose time has come. In fact, I think it is past due. People all over this country want something done about it.

This bill can be nitpicked and, certainly when it comes on the floor of the Senate, there will be amendments to it. I may have one or two myself. There will be amendments, and we will get a vote on those amendments, and we will fashion a piece of legislation. That is the way it ought to be done. But to hold up the bill through a filibuster so that we cannot even bring it out on the floor to debate it, to amend it, to pass it up or down, I think flies in the face of good government, what the people of this country really want us to do.

I would hope that this filibuster could be called off. I would hope that we could bring the bill out on the floor. Let the chips fall where they will. Those who do not like it can amend it, and we will see how the votes fall. I believe we ought to vote on this bill, and I believe the filibuster ought to be called off.

Mr. President, as the Des Moines Register stated in an editorial in support of S. 2 last spring, the current campaign finance system is not quite what the founders had in mind 200 years ago. I certainly agree with that. I think one of the most appropriate ways to show our respect for the Constitution would be to pass this bill and to restore representative government to fit the dream that our founders envisioned.

Mr. President, I ask unanimous consent that the text of the editorials by the Des Moines Register and the Cedar Rapids Gazette appear at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Des Moines (IA) Register, Sept. 23, 1987]

PERPETUATING A DISGRACE

Campaign-finance reform is dead for this year. There were enough votes to pass it in the Senate. But not enough to shut off a Republican filibuster.

What a bummer! Can't Congress face up to anything?

Can't Congress see how its members appear to be on the take? Can't Congress see how demeaning it is when elections become contests of a raising money from special interests who want something in return? Can't Congress see how democracy is prostituted?

Apparently not. At least not enough members can—and not Iowa Senator Charles Grassley.

Grassley, who is known for the eagerness with which he holds his hand out for special-interest cash, voted with most other Republicans in supporting the filibuster to prevent the reform bill from coming to a vote. It takes a three-fifths majority to end a filibuster.

The reform bill originally would have established a system of partial public financing of Senate campaigns, modeled after the successful presidential campaign-financing system. Candidates would quality for public financing by agreeing to limit their spending.

In an attempt to mollify the opposition, the bill was watered down so candidates would not receive any public funds unless their opponents exceeded spending limits. Candidates would be offered reduced postage and broadcast rates in exchange for abiding by limits, and there would be an aggregate cap on what a candidate could take from PACs.

It was hardly radical reform. It was more like a tentative beginning at addressing a serious problem in the American democracy, but the Republicans chose to obstruct even that.

How much more sleazy will campaign finance have to become before Congress acts? The unseemly scramble by public officials to get cash from special interests is a national disgrace. So is the failure of the Senate to deal with it.

[From the Des Moines (IA) Register, Mar. 26, 1987]

DESTROYING DEMOCRACY

Congress works a three-day week because it's hard to round up enough members to take important votes on Monday or Friday. But that doesn't mean members are loafing. Among other things, they need those four-day weekends to hustle money from special-interest groups.

Money has always been the mother's milk of politics, but to today's politicians it has become an all-consuming addiction. As soon as one campaign ends, money-raising immediately begins for the next one.

It's getting hard to tell who is more obscene—the lobbyists who pay lawmakers with money or the lawmakers who solicit it. Organizations that exercise their right to visit their congressman are often called a few days after the visit and asked for a donation. What price democracy?

Texas Senator Lloyd Bentsen's short-lived plan to charge lobbyists $10,000 for the privilege of chatting with him at breakfast was notable only for its excess. Other members charge less.

The politicians and the lobbyists alike are caught in a vicious spiral. The rise of political-action committees (PACs) in the last decade infused vast new money into political campaigns, but the availability of new money escalated the cost of campaigns.

Candidates in the five costliest Senate contests spent 67 cents a vote in 1974 but spent $7.74 per vote in 1984, and the cost is still rising. Some members of Congress complain that they must spend up to half of their time raising money, and some lobby groups are beginning to complain that $5,000 doesn't buy what it used to. With a proliferation of special interest groups all trying to buy the ears of members, it costs more to buy influence now.

Enough! the money-changers have taken over the temples of democracy. They have bought the right to set the legislative agenda. They undermine public trust in the system. They finance disgustingly negative campaign advertising. They speed the degeneration of the body politic into a grasping aggregation of me-first special-interest groups. They help destroy what's left of the covenant between people and their government.

It's not quite what the founders had in mind 200 years ago, but the genius of the system they established has been the ability to reform itself. Congress needs to reform campaign financing, now.

The best possibility for reform is legislation sponsored by Senators David Boren of Oklahoma and Robert Byrd of West Virginia. Iowa Senator Tom Harkin is a co-sponsor. It would establish a system of public financing for Senate campaigns, modeled after the public financing that has succeeded in keeping presidential campaigns relatively clean.

Candidates—after raising a certain "threshold" of money from private sources, mostly donors from their home states—would be eligible for public financing. Candidates who accepted public financing would be bound by campaign-spending limits; those who didn't agree would be penalized by having their share of public money go to their opponent.

No proposal on such a complex matter is perfect, but the Boren-Byrd bill seems to come closest and is drawn from the proven success of presidential campaign-finance reform.

The strongest objection is the cost, but if it can succeed in reclaiming representative government for the people it would be the best money Congress has spent in a long time.

[From the Cedar Rapids (IA) Gazette, Mar. 17, 1987]

CAMPAIGN FINANCES

Ever since 1867, when it passed a law prohibiting Navy Yard employees from levying assessments for "political purpose," Congress has been scratching its collective head, trying to figure out the fairest way to regulate the financing of federal election campaigns. It's been a constant balancing act. On one hand, the government encourages citizens to donate to political campaigns. On the other, government must keep wealthy individuals and special interests in check and not allow spending to get out of control.

Laws on campaign financing have grown increasingly complex, requiring an increase in the government's regulatory role. In 1972, the federal government decided the best way to ensure fair presidential election campaigns was to subsidize the candidates. It has worked well. Now, it's time to extend subsidies to legislative elections.

The U.S. Senate now faces at least five different campaign-finance reform proposals. The one receiving the most attention is the Boren-Byrd proposal, which outlines a "voluntary" system of public financing.

A public financing scheme, such as the Boren-Byrd proposal, is essential. It is the only way to get congressional campaign spending under control.

Expensive TV commercials and direct mail efforts in recent years have caused campaign spending to skyrocket. In 1980, the median expenditure by a candidate for Senate was $949,992. Last year, it soared to $2 million. There have been individual cases of spectacular excess. Sen. Jesse Helms, R-N.C., set the record by spending $16.5 million in 1984. Sen. Alan Cranston, D-Calif., waged a $10.8 million re-election campaign last year.

Senate Majority Leader Robert Byrd, whose name graces the Boren-Byrd proposal, calls the current finance system "a growing threat to our representative form of government and a growing threat to this institution." It is difficult for him to schedule votes, he said, because senators are often absent on Mondays and Fridays to raise money for their upcoming re-election campaigns.

Candidates are forced to think about cash, even when elections are distant. Iowa Democrat Tom Harkin, who spent $2.7 million to win the 1984 U.S. Senate election, toured the West Coast last month in search of re-election campaign contributions. He doesn't face voters until 1990.

Limits on campaign spending have been attempted before, in 1974, Congress capped the total expenditures a congressional candidate could make during primary and general elections. But the U.S. Supreme Court invalidated the law two years later, saying it violated the candidates' First Amendment rights.

The high court ruling didn't close the door completely. According to the way that Sen. David L. Boren, D-Okla., reads it, spending limits can be re-established if they are "voluntary" and if the government uses campaign subsidies as an incentive.

This is precisely what Boren has written into the Boren-Byrd proposal. To be eligible for public funds, the candidate first must volunteer to limit her spending. Then, if she raises $250,000 in individual contributions, she becomes eligible to receive public subsidy equal to the difference between the $250,000 and the spending limit for the state in which the election is held.

The state limits are based on voting population. In an Iowa senatorial race, for example, the limit would be $1.1 million per candidate. The money for the subsidy would come from a federal checkoff similar to the one on income tax forms for presidential election.

The measure also contains significant incentives. If one candidate eschews public funds and chooses not to limit his spending, then his opponent may become eligible to receive the public campaign money that had originally set aside for, but not used by the non-volunteer.

The Borden-Byrd proposal creates a new campaign finance system that rewards those who run solvent campaigns, punishes excessive spending and checks the influence of special interests. It would be a vast improvement.

[From the Cedar Rapids (IA) Gazette, Mar. 3, 1987]

LIMITS ON PAC'S

Sen. David Boren, an Oklahoma Democrat, has long advocated limiting the amount of money congressional candidates can accept from Political Action Committees. He introduced legislation last year stipulating that House candidates could accept no more than $100,000 in PAC money. Senators were to limit total PAC contributions to between $175,000 and $750,000, depending on the population of their state.

The senators liked Boren's general idea. After all, who doesn't view the rapid proliferation of PAC's with suspicion? So they approved the amendment by a lopsided margin of 69-30. But senators disliked the specific proposal. Even as they voted, they knew it had been crippled by an oppostion amendment and would never get to the House.

The reason for the opposition was voiced by Sen. Dave Durenberger, R-Minn. "Reforms that focus first and foremost on limiting the role of PACs in our electoral system are doomed to failure. They will fail because they deal with a symptom, and not the cause, of what ails our political process. The growth of PACs is only a reflection of a fundamental change . . . to entrepreneurial politics."

When Durenberger talks of "entrepreneurial politics," he is referring to today's costly congressional election campaigns and how they have forced candidates to spend inordinate time raising money. The demand for money has helped to create a proliferation of PAC's—from 608 in 1974 to 4,092 last year. During the 1985-86 election cycle, PAC contributions increased 37 percent from the previous cycle. From Jan. 1, 1985, to June 30, 1986, PACs raised $253 million and spent $205 million.

Boren listened to the criticism and this year returned to the Senate with a more ambitious campaign-finance reform bill, the Boren-Byrd proposal. It creates a whole new system of incentives. A candidate who volunteers to limit his campaign expenditures and volunteers to accept limits on the amount of PAC money he accepts, qualifies for public campaign subsidies.

The key incentive is the federal subsidy, which can amount to four-fifths the cost of a general election campaign. Without the subsidy, it is simply impossible to limit PAC

contributions. There are too many loopholes.

Let's say Congress attempted to place a $100,000 limit on amount of PAC money any one House candidate could receive. The candidate reaches the maximum amount. Under the current financing system, a PAC can continue to assist the candidate through "independent expenditures." This means a PAC can bypass the candidate's campaign treasury and directly purchases items such as television advertising. The PAC does not have to identify itself on air as the sponsor in the advertisement—so it appears to be a part of the candidates campaign. The candidate's opponent has no recourse other than to spend more of his campaign money to combat the PAC advertising.

With Boren's bill, a candidate who has volunteered to limit expenditures and accept public financing, can use public campaign money to fight and independent PAC attack. If a PAC spends in excess of $25,000 in "independent expenditures," the attacked candidates can apply for and receive matching funds from the government. Furthermore, under the Boren-Byrd bill, a PAC must identify itself as the sponsor of the television advertising.

Boren's proposal, which last year was a weak attempt to limit PAC spending, has blossomed this year into a comprehensive reform measure. It crates a new system of financing campaigns and a new system of incentives to keep expenditures down.

For the most part, PACs represent narrow single interests of our society. With the Boren-Byrd amendment, the financial influence of the PACs will become as narrow as their politics.

[From the Cedar Rapids (IA) Gazette, Apr. 4, 1987]

SWITCH-GIVING

When Sen. Mark Andrews, the North Dakota Republican, ran for re-election last year, he was backed by the American Bankers Association. The PAC donated $10,000 to his campaign. But the warm relationship chilled significantly after Andrews lost to Democrat Kent Conrad. The bankers' PAC suddenly became enamored of the winner. Within 1½ months after the election, the bankers switched sides and give $10,000 to Conrad.

The cynical bankers' PAC did the same thing in Alabama, Washington and Georgia last year. It backed the losing Republican incumbent during the election. After the ballots were counted, it pulled the old switcheroo and contributed money to the campaign chest of the winning Democrat challenger.

The bankers aren't the only ones. Common Cause, the self-styled citizens' lobby, studied this phenomenon of "switch-giving" in seven of last year's Senate races. The group found 150 cases in which PACs backed losers, then switched to winners after the election. Among other flagrant switch-givers: the E.F. Hutton Group Inc., Marine Engineers Beneficial Association, American Hospital Association, National Beer Wholesalers Association and Philip Morris Inc.

"These PACs obviously weren't contributing because of the candidate's philosophy, ideology or political party," says Common Cause President Fred Wertheimer. "They wanted, first and foremost, to ensure that they had bought influence with a U.S. senator. PACs often argue that PAC giving represents citizen participation. Citizens, however, don't vote for both candidates, once before the election and a second time after the winner has been chosen."

It's hard to disagree with Wertheimer's aversion to PACs. Switch-giving is nothing but a shameless attempt to purchase influence in Congress.

A bill is now pending in the Senate that would go a long way toward addressing this problems. It is a comprehensive campaign-finance reform measure that would limit the amount of PAC funds congressional candidates can receive and establish a system of public campaign financing. Switch-giving is one more good reason for Congress put this package of campaign-finance reform on the front burner.

Mr. HARKIN. Mr. President, I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I ask unanimous consent that my speech today and any other previous speech on this subject made to date not count as a second speech with respect to the two-speech rule.

The PRESIDING OFFICER. Is there objection? Hearing none, it is so ordered.

Mr. McCONNELL. Mr. President, the group of eight just had a meeting this afternoon. I thought it might be helpful to bring our colleagues up to date on the progress of those discussions. It was another amicable meeting. The Republican members of the group of eight offered a counterproposal which we discussed in detail, and the upshot of the meeting was that the counterproposal would be taken to the Democratic policy luncheon for discussion tomorrow. And on our side of the aisle, we would take to our policy luncheon what we understood to be the overriding interest of the other side: to have some system that imposed expenditure limitations on races for Congress.

But, in any event, it was an amicable discussion, and we will be dealing with that issue in both policy luncheons, and we will see tomorrow where we go from there.

It occurred to me, Mr. President, that those of us on this side of the aisle had not provided for the RECORD and for other Senators an appraisal of the Boren III bill which is currently before us.

As everyone probably knows, it has been modified several times to meet objections of Members on that side of the aisle. Senator BOREN described, I believe on Friday, the details of the most recent version of that bill. I believe it is important to get our assessment of that bill, as we move further into the debate on this issue.

Boren III has been modified several times to try to reduce the cost of the public money in the measure. It is important to have an assessment of what the true cost of Boren III will be.

First, the postal subsidy: We estimate that the postal subsidy will cost approximately $17 million for Senate candidates each cycle. If the measure applied to both Senate and House races, we estimate the postal subsidy to be about $75 million per election. This would not be offset by denying the mail subsidy to political parties, which Boren III also does. That would save about only $10 million annually. It takes the Federal subsidy that goes to the American Communist Party and gives it directly to Communist candidates. In other words, it takes it out of one pot and puts it into another. The additioinal cost would represent to the taxpayers a stamp tax, a postal subsidy which I say with some humor is similar to the one levied on American colonists by the British King in 1776, but in any event, a postal subsidy.

Administrative costs under Byrd-Boren III: The Federal Election Commission estimates an additional $1 million every year for policing Senate races alone; and we think that is a conservative estimate.

Direct public financing, another provision under Byrd-Boren III: Based on CBO's estimates, that 20 percent of the candidates would choose not to participate or would violate the limits; and based on the assumption that there would be at least one third-party candidate in each election—and that is a fairly conservative assumption—S. 2 would trigger payouts from the Federal Treasury of $21 million each cycle for the Senate alone, and $75 million to $100 million for the Senate and House races combined.

There is a further circumstance that triggers a public subsidy: This is the independent expenditure payback. Under this proposal, subsidized candidates are compensated on a dollar-for-dollar basis out of Federal tax coffers, if a private citizen spends large sums to criticize them or support any opponent.

Let us take the 1986 race as an example. In 1986, independent expenditures totaled $5 million in Senate races and $11 million for Senate and House races combined. Since S. 2's contributions limits will force currently disclosed money into this uncontrolled activity, independent expenditures under this system are likely to double or triple. Thus, the drain on taxpayers likely under this particular portion of Byrd-Boren III would likely be upward of $20 million each cycle, if you combine both Senate and House races.

Therefore, looking at all the provisions of Byrd-Boren III that would trigger the expenditures of tax dollars

in political campaigns, the total taxpayer-subsidized costs would be $30 million for the Senate alone, and $130 to $150 million if the bill included both Senate and House races. This would occur for each election cycle, and I might say that both of these estimates are very, very conservative. Both take into account the transfer of mail benefits from parties to candidates.

Further, under Byrd-Boren III there is a public financing penalty provision. Instead of using taxpayer's money as an incentive to follow spending limits, S. 2 punishes candidates and the citizens who support them by giving tax money to subsidized opponents, if the privately funded candidate exercises his constititional right to gather as much support as possible. In other words, the price you pay for choosing to operate outside this system and do it on your own—which the Constitution guarantees you the right to do—is that when you encroach upon a certain level of expenditure, the taxpayers must subsidize your opponent.

S. 2 also forces candidates who want no part of this politicians' subsidy program to declare in their campaign ads that they have refused to comply with the new law. If you do not want to play the game and you put your commercials on television, you have to slap right across that commerical which is attempting to reach the voter of your State that you are not complying with the new law. In my judgment, that would render the ad completely ineffective, which I presume is the reason for the requirement.

The next point I want to make is extremely important. It seems to me, Mr. President, that by and large we ought to take an approach that we in this body do not intentionally pass unconstitutional legislation. Once in a while we may do it unintentionally, but we ought not to do it intentionally. It seems to me that Byrd-Boren III is even more conconstitutional than any of the previous versions by far.

The landmark decision of Buckley versus Valeo makes clear that mandatory spending limits are unconstitutional. I repeat, Buckley versus Valeo makes it clear that mandatory spending limits are unconstitutional. At the same time, the Supreme Court allowed Congress to appropriate funds for Presidential candidates as an incentive to comply; I repeat, as an incentive to comply. But there was no penalty in there for the Presidential candidate who chooses not to participate in the system. He simply has to work harder to make his money. But he is not penalized.

For example, we have had one candidate who resisted the temptation to dip into the Federal Treasury in Presidential races. It did not work out very well. He did not get anywhere. But Governor Connolly, back in 1980, chose not to do it. His decision to choose not to accept Federal dollars did not trigger any tax dollars for any of his opponents. He just had to work harder because he did not get the extra Federal subsidy.

I think it is pretty clear that you cannot use taxpayers' money as a hammer to take away constitutionally protected political rights.

I did not say much last year to challenge the constitutionality of Byrd-Boren I even though there were several penalty aspects in that version as well. With Byrd-Boren I, II, and III, my first objection was to the selfishness and cynicism in starting a welfare program for our own reelections while the Federal deficit crushes us all. But with this most recent version, Mr. President, the one that is currently before us, this unconstitutional aspect is so blatant that it alone demands opposition.

The issue that could come before this body soon is that the invocation of cloture would prevent an amendment to cure this unconstitutionality. If cloture were invoked, this particular violation of our free political rights could not be cured by amendment. To make the third version of Byrd-Boren constitutional under Buckley versus Valeo, we would have to reinstate the taxpayer financing feature as an incentive for spending limits. But such an amendment would be nongermane under strict postcloture rules.

Therefore, for innumerable important reasons, it seems to me that cloture is a poor idea from this Senator perspective, because it eliminates the chance to raise several excellent amendments that could be offered. But we now are pursuing this issue in the appropriate way, which is to negotiate. And we hope that the negotiated settlement of this issue will still allow us to come up with a bipartisan campaign finance bill that can pass this body by an overwhelming margin.

But I think it is important to remember, Mr. President, what we are contemplating doing here to congressional races. We are contemplating creating a system akin to the Presidential system which has been unfolding before our eyes over the last three elections.

Therefore, I think it is important to take a look at the Presidential system which embodies the principles that we are talking about here: spending limitations and public financing.

The overall cost to the taxpayers under this Presidential system has been over $40 million so far in the last 2 months alone, and over a third of a billion dollars in the last three elections. It is clear that pre-system has not done much to curb campaign spending except now, the taxpayers pick up the tab.

It has brought about a myriad of extremist candidates. Half a million dollars went to Lyndon LaRouche in 1984; $200,000 went to psychologist Lenora Fulani to run for President. She just got her check a couple of weeks ago.

We have more bureaucracy, not more democracy, as a result of this system. One out of four campaign dollars has gone to lawyers and accountants under this Federal system for Presidential races. In 1980, in the Presidential race, $21.4 million was spent on compliance alone, as much as the most expensive race in Senate history. Campaigns must process each contribution through as many as a hundred steps. Political decisions become accounting decisions when you run for President.

There has been an unprecedented growth in campaign spending since we have enacted spending limitations. I repeat: an unprecedented increase in campaign spending, after we enacted a system of spending limits. Overall spending now is increasing at the same rate as before spending limits and taxpayers financing. The difference is that far more spending now is done outside the legal limits and disclosure requirements, and therefore is less accountable. We try to put a limit on the spending here, and it is squeezed out over there.

As I indicated last week, we have had as much success in controlling spending as controlling alcohol during Prohibition. It has made every candidate for President a cheater, and that kind of law is never a good idea. Every major candidate since 1976 has been cited for serious violations of the law and has gotten bad press and large fines as a result.

One candidate spent $2 million in a State with a $400,000 limit. Delegate and pre-candidacy committees are "loopholes big enough to drive a truck through"—conduits for millions of dollars spent outside of spending and contribution limits.

Corporations and labor help circumvent the limits by paying for office rents and phone deposits, and giving overly generous loans.

There is growing disrespect for the law in the election process. Campaign managers report that the first planning priority is to identify in advance ways to circumvent limits and rules. A respected political observer and campaign staffer declared: "This whole FEC thing is a sham. It is your job to find every loophole."

Under this Presidential system that we call progress, special interests wield control by spending outside the laws. In the 1984 general election—this is that portion of the process in Presidential elections that is entirely a publicly funded—special interests spent $25 million to oppose Reagan—an amount equal to 62 percent of Reagan's $40 million spending limit.

Nearly half the money spent overall in the 1984 general election—$72 million—was outside of the candidates' direct control.

My goodness, that is not progress. That is simply pushing the money out onto the perimeters of unaccountability. At least one-fourth of the money spent in Presidential races is unreported, unlimited, and unaccountable. Soft money spending roughly triples each election cycle. Commentators are starting to say that Presidential elections look like the uncontrolled, corrupt politics of the prereform era.

Voter turnout has stagnated: It was 55 percent in 1972; it was down to 53 percent in 1984. So it certainly has not done anything to turn on the voters. Several people have argued that with spending limits, you somehow cleanse the process, and the voters come back on board as they become excited about the new regime. That has not happened. Turnout has continued to decline. There has been no correlation between spending limits and turnout, unless it is to bring turnout ever lower.

Grassroot politics and campaigns have died in Presidential races. David Broder, quite possibly the most respected political reporter in America, has said:

> Spending limits and taxpayer financing have shut down local campaigning . . . grassroots democracy has died.

Mr. President, I ask unanimous consent that my speeches today and any other speeches to date on the pending subject not count as a first speech under the two-speech rule.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BUMPERS. Mr. President, has the Senator yielded the floor?

Mr. McCONNELL. No, I have not.

Mr. President, there has been a lot of discussion about Buckley versus Valeo. It has been a decision that people have argued both ways since it came down. It was decided on January 30, 1976. I think it is important to remember specifically what the Supreme Court said about spending limits. It said they were unconstitutional.

Let me read pertinent parts of the decision, which I think certainly bear on Byrd-Boren III which, as I said earlier, has a punitive sanction provision against a candidate who chooses—as a matter of strategy or conviction—to opt out of the spending limits and to raise his own money. Once he gets above the spending limit, a significant amount of public money is triggered against him, so that the taxpayers, in effect, are required to punish him, if you will, for his decision to do the very best he can to raise his money and compete in his campaign in his own way.

Buckley versus Valeo in pertinent part said:

> The campaign expenditure ceilings appear to be designed primarily to serve the governmental interests in reducing the allegedly skyrocketing costs of political campaigns.

Further, the decision says:

> In any event, the mere growth in the cost of federal election campaigns in and of itself provides no basis for governmental restrictions on the quantity of campaign spending and the resulting limitation of the scope of federal campaigns.
>
> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise.

Let me repeat, Mr. President. The Supreme Court said:

> The First Amendment denies government the power to determine that spending to promote one's political views is wasteful, excessive, or unwise. In the free society ordained by our Constitution it is not the government but the people—individually as citizens and candidates and collectively as associations and political committees—who must retain control over the quantity and range of debate on public issues in a political campaign.

Now, in a famous footnote, the Court said.

> For the reasons discussed in Part III, infra, Congress may engage in public financing of election campaigns and may condition acceptance of public funds on an agreement by the candidate to abide by specified expenditure limitations. Just as a candidate may voluntarily limit the size of the contributions he chooses to accept, he may decide to forgo private fundraising and accept public funding.

That implies, Mr. President, a voluntary decision on the part of the candidate.

Clearly, the words of the Supreme Court in Buckley versus Valeo would not sanction a punishment with a Federal subsidy, a punishment against the candidate who chooses as a matter of strategy or conviction not to spend within the expenditure limitation.

An interesting letter was written to the Rules Committee of the U.S. Senate by the Department of Justice on May 4, 1987. It addressed this issue of punitive sanctions for exercising the right to garner as many contributions as you can.

The Justice Department said:

> Although participation in the public funding program and adherence to the expenditure limitations would be voluntary, the bills impose some form of monetary sanction on those candidates who choose not to participate and who raise and expend sums in excess of the limitation applicable to participating candidates.

In other words, the fundamental difference between S. 2 in all its forms and the Presidential system is that if you are running for President and you choose not to accept public funding, you do not get punished. They do not send any of the taxpayers' dollars to your opponents.

But under each version of S. 2, and it is particularly egregious under the third version, the candidate's decision to exercise his first amendment right of free speech, and raise as much as he can from individual donors, triggers a punitive amount of taxpayers' dollars to his opponent.

Clearly that kind of provision fails the consitutional test of Buckley versus Valeo.

Referring, I assume, to S. 2 and companion measures:

> These bills seek to impose such restrictions indirectly, by placing what amounts to a penalty on a candidate's expenditures in excess of his hypothetical entitlement to public funds. This penalty amounts to a matching grant of public funds to his opponent. Expenditures by a candidate thus serve to trigger the subsidization of views with which the candidate presumably does not agree.

It further states:

> . . . the bills "exact[] a penalty," 418 U.S. at 256, for such conduct, by making the size of the public subsidy to the candidate's opponent dependent upon the candidate's own First Amendment conduct. The more the candidate does to promote his own views, the more he fosters the promotion of views he opposes.
>
> In sum, we think that the proposed provisions, by tying a candidate's funding of his own campaign to increased public funding of his opponent's likely represents an unconstitutional infringement on the right to use one's own resources to disseminate political messages.
>
> For many of the reasons outlined above, the bills may also unconstitutionally burden the rights of contributors. Under the bills, contributions to candidates in excess of the statutorily specified amounts result in the payment of additional public funds to their opponent. Thus, contributors see their contributions fostering the spread not only of the ideas they wish to support, but also of those they do not. The predictable result is a chilling effect on the right to contribute.
>
> Accordingly, all of these bills raise serious constitutional questions with respect to the rights of contributors. Since they are not even designed, much less narrowly tailored, to prevent corruption, they appear to us to be inconsistent with the First Amendment.

So, Mr. President, the point the Senator from Kentucky seeks to make today is that Byrd-Boren III, among all its other defects is blatantly unconstitutional as well. It appears to this Senator that it is clearly inconsistent with Buckley versus Valeo, and that alone should warrant a no vote, since it is our duty not to pass in this body legislation that is so blatantly unconstitutional.

Second, I would make the point again, as I have made on several previous days, that if we take a good hard look at the Presidential system of spending limitations and public finance under which we have been operating since 1976, we must conclude that this is not the kind of system we want to initiate in congressional races. It has been nothing short of a disaster.

My goodness, Mr. President, if we do that to 535 additional races, the FEC soon will be the size of the Veterans' Administration. Why, we can create a real bureaucratic monster trying to

regulate and micromanage every campaign for Congress in America. That is not progress. That is a step backward.

What we ought to be doing and what I hope the group of eight ultimately will do is pass a bipartisan campaign finance reform bill that will deal with the real problems in the rise of the cost of campaigns in this country, and let me repeat them. These are three things that are driving up the cost of campaigns in America.

First and foremost, the cost of television. We have suggested, some of us on this side of the aisle, that we require stations to sell us television time at the lowest unit rate provided for any commercial advertisers in the preceding year, the nonelection year, so that political campaigns are given a break in the last 60 days of the election campaign.

What happens too often today is that the lowest unit rate is raised during the election period for all advertisers, as a way to make more off of the candidates. Clearly, as the cost of television rises, the cost of campaigns rises.

Second, I think it is important to do something about the millionaire problem. A lot of people in this body are concerned about this, on both sides of the aisle. All of us feel it is inappropriate for any individual, because, of the advantage of great personal wealth, to be able to just buy an office in the U.S. Senate.

One of the unfortunate parts of Buckley versus Valeo is that is held it unconstitutional to tell an individual how much he could put into his own race. It was constitutional to say how much he could put into another's race.

Thus, we cannot get at that problem directly, but there are a couple of things that might help. I have suggested, and this was an idea that originated with the senior Senator from New Mexico, Senator DOMENICI, that if one is going to put, more than a quarter of a million dollars of his own money into a race, he ought to so certify that to the FEC at the beginning of the race. This would provide notice to his opponents of what he intends to do, and give them an opportunity for those opponents to receive contributions from individuals above the current limit of $1,000 in the primary and $1,000 in the general. We have suggested that the limit be raised to $10,000 per election.

It would not entirely counter the millionaire's advantage, Mr. President, but it might help.

Second, I have suggested that we prohibit a candidate who puts his own resources into a campaign, or borrows from the bank and put it into the campaign, to recover it.

All too often, the pattern has been that you pony up a large amount of money to buy the election, and then as soon as your success is assured, you go around town and get repaid by every PAC or individual who will contribute.

So, Mr. President, since we cannot constitutionally keep wealthy persons from buying office, at least we ought to keep them from getting paid back, because it is arguable that special interests would have a disproportionate impact on that particular individual.

Finally, Mr. President, there clearly has been a proliferation of political action committees.

The Senator from Kentucky, along with 14 cosponsors, suggested last year that we eliminate political action committee contributions altogether. Unfortunately, I do not find much support for that position, particularly on the other side of the aisle, since we do not have a single cosponsor from the other side of the aisle on that measure.

But clearly, PAC's have proliferated and PAC contributions have increased dramatically, and I think it is entirely appropriate that we do something about that. Either we lower the amount of money that PAC's can give in a given election, eliminate them altogether, or establish an aggregate limit. It seems to me, Mr. President, when the American people think about this issue, if they think about it at all—and in my judgment it is not an overriding concern out in the land—clearly those who do care about it are thinking about political action committees, because there is at least the appearance of undue influence on all of us. If that appearance exists, why do we not do something about it?

In all three of these categories, we could improve the existing campaign finance laws significantly: Do something about the millionaire's loophole, do something about the cost of television, do something to reduce the influence of PAC's; and further, require reporting or limitations or both on so-called soft money, so that all contributions are treated the same, not just cash contributions.

The problem with S. 2 is that it presumes only cash contributions are somehow corrupt; and all other kinds of contributions are OK. They continue to be unlimited and undisclosed. We ought to address all forms of contributions, and get away from the notion that cash contributions per se are somehow unhealthy.

The beauty of the post-Watergate legislation was that it understood that cash contributions were not automatically unhealthy, that indeed nothing was wrong with them. The post-Watergate reforms limited cash contributions, and required disclosure. And that is the system under which we have operated in congressional races since that time.

So, Mr. President, that concludes my evaluation of that particular measure.

There is one other item I want to touch on before I yield the floor. There has been a good deal of talk about the advantages of incumbency. And there is no question that incumbents have advantages. This Senator is certainly aware of that. As the only Republican challenger in the country who won in 1984, I can tell you that it was not easy. It is pretty hard to beat incumbents. They have a lot of advantages under just about any system you can construct.

I think it is worthwhile, therefore, to take a look at the 1986 Senate elections. Applying the spending limits under S. 2, every single incumbent who spent within the limits set by S. 2 in 1986 won; 10 out of 10 incumbents who spent within the limits set by Byrd-Boren III won.

Ninety percent of the challengers who spent within the limits set by S. 2 lost; 18 out of 20 challengers who spent within the limits established by the most recent version of Byrd-Boren lost. So if we think we are constructing a system here that is going to take away some of the advantages of incumbency, there is no recent example you can cite to make that point.

To the contrary, 72 percent of the challengers who won spent above the S. 2 limits; 5 out of 7 of the winning candidates spent above the limits. And the Senator in the Chair was one of these.

So, clearly, for those challengers in 1986 to have had a shot to make it, they had to be able to spend more than the S. 2 limits, or they would not have gotten here.

The challenger who spent above the S. 2 limit had a 63-percent chance of winning; 5 out of 8 challengers who spent above the limits, in fact, won in 1986. A challenger who spent within the S. 2 limit had a 10-percent chance of winning. 2 out of 20 challengers who kept within the limits won.

So what does S. 2 really stand for? It stands for sealing off the Senate from future successful challengers.

It seems to me, Mr. President, that is not what we ought to be doing here. Incumbents already have a lot of advantages. But Byrd-Boren III certainly will not lessen the advantages of incumbency; it will totally insulate incumbents from successful, aggressive challengers.

Mr. President, that concludes my observations for the day. I yield the floor.

Mr. SASSER addressed the Chair.

The PRESIDING OFFICER (Mr. BREAUX). The Senator from Tennessee, Senator SASSER.

Mr. SASSER. Mr. President, I commend the majority leader for his tenacity on the issue of campaign finance reform.

Bringing up S. 2 early this year underscores both the seriousness of this issue and the resolve of the leadership to do something about it. I further

congratulate the majority leader for indicating that he will attempt to break any stalemates on this important legislation this week. I join in that sentiment.

We are all encouraged that negotiations are underway to try to move this campaign reform bill forward, but should those talks break down, the majority leader has served notice that this bill will not be held hostage to filibuster. I applaud him for that move.

I think the majority leader's resolve reflects a very simple fact. Our campaign laws go to the very core of our electoral process. They affect the very heart of our democratic system. Yet with each passing election cycle, we see more and more Americans losing faith in that system because of the growing importance of money in politics. Indeed, I hear more and more every day from constituents and others who are increasingly disenchanted with a system that has been overtaken by the quest for money.

My native State of Tennessee, in recent political events, provides chilling testimony to the increasing importance of money in our political system. In 1976, when I was first elected to the U.S. Senate, spent just over $800,000. I came through two very hard-fought campaigns—a primary and a general election; 6 years later, when I ran for reelection in 1982, I had just one election. That was a hard-fought general election, and I spent $2.1 million in that election.

By 1984, a statewide campaign for the U.S. Senate had escalated to the point in 2 years where it cost my junior colleague, ALBERT GORE, JR., just over $3 million to be elected to the U.S. Senate. By 1986, candidates running for governor in the State of Tennessee on each side spent some $4 million each in their quest to become Tennessee's Governor.

This past year, we witnessed a race in one congressional district in Tennessee where some $4.5 million was spent in a primary and general election.

Those figures are absolutely mind-boggling. What are the prospects that this trend will reverse itself in the upcoming campaign? Not that great in light of the following: Various political arms of the Republican Party, both nationally and in my State, continue to raise vast sums of money for congressional races. Potential opponents of the Republican Party have suggested that they will spend over $2 million in the quest for a Senate seat this year, and, indeed, one well-placed Republican national finance person called an individual in my State and guaranteed him, according to press reports, over $3 million if this individual will undertake a race for the U.S. Senate in Tennessee.

So I foresee another high spending campaign for statewide office in my State of Tennessee in 1988. Quite frankly, Mr. President, I cannot afford to do otherwise under present conditions than to get out and raise as much money as I can if I hope to continue serving the people of Tennessee.

The pressure is there to raise huge amounts of money for the very simple reason that if you do not, your opponent certainly will, and you will be unable to compete on even terms with the well-financed, well-heeled opponent, and the result is this: Candidates spending too much time raising money and too little time talking to voters and letting the voters know what the views of the candidates are on the great issues of the day. This is not good for democracy, and it is not good for the United States of America.

It means that the vital link between the people and their representatives is broken. Democracy is a very fragile thing. It depends not on force of arms, but on faith and trust, trust between the people and their elected representatives, and when that faith is broken, and when that trust is dissolved, then the glue that holds a democracy together fails.

The election process is the very essence of representative democracy.

But if the people have no confidence in the way their representatives are chosen, how can they possibly have any confidence in the policies that those public officials produce?

The money spent on campaigns today—those enormous, exorbitant, obscene sums—threatens to break the link between voter and officeholder.

The average citizen feels that public officials are beholden to special interests and that the voice of the individual cannot be heard above the flutter of checks filling campaign coffers. This sense of alienation, this feeling that the electoral system is no longer their system, is responsible for much of the cynicism and lack of participation by citizens in politics today.

Every election year we see the percentage of those citizens who participate going down, down, down.

The result is there for all to see: a decline in individual contributors, "debate" conducted in 30-second snatches, and wave on wave on wave of nasty and expensive TV commercials.

We saw in the last round of senatorial elections not candidates talking to voters but candidates running all across the country raising money to finance more television ads, with political reporters coming into States not talking to voters but simply looking at the television ads that were being run in those particular States and making their judgments on how the campaigns would turn out, because that is all there was to the campaigns in many States, just television and radio ads.

Well, Mr. President, I, along with many of my colleagues and the majority leader of the Senate, say enough is enough. We simply have to restore public confidence in our electoral system. That, as we all know, is easier said than done.

The last attempt at campaign finance reform arose from the stench of Watergate. Those horror stories of money stuffed in briefcases and safes, handed out at the whim of an anonymous campaign official, usually for projects of dubious propriety, caused people to sit up and take notice.

Watergate reforms were necessary and they were reasonable responses to the circumstances of the time. But in politics, as in human affairs always, every action produces an equal and opposite reaction. And in this case, the reaction was political action committees and skyrocketing campaign spending.

Since 1974, the number of PAC's has grown from less than 600 to over 4,100. In 1974, their contributions to all congressional candidates totaled $12.5 million. By 1986, that had grown to $132.2 million. In 1986, PAC contributions to Senate candidates amounted to almost $45 million and represented an average of 23 percent of a candidate's contributions.

Mr. President, I do not mean to stand here and say that political action expenditures are in and of themselves evil or unwholesome. I think the case can be made that it is perhaps more equitable and more wholesome for the political system to have some political action committees operating rather than have candidates dependent on one single, so-called angel that would write the campaign a check for $100,000 as they did in days of yore.

It is clear that the surge in PAC spending has spurred the skyrocketing cost of campaigns. The total cost of Senate campaigns has doubled in the last 6 years—from $73 million in 1980 to over $182 million in 1986. The average cost of a winning Senate campaign rose from $1.2 million in 1980 to $3.1 million in 1986—almost a 300-percent increase.

The Supreme Court's decision in Buckley versus Valeo severely limits Congress' options on campaign reform. That decision basically said that the only way to limit campaign spending is by voluntary limits. And the facts are that sure voluntary limits simply cannot work. The only way they do work is when there are incentives in the law to encourage candidates to adhere to those limits.

That is precisely what S. 2 would do, Mr. President. It would provide a strong incentive for candidates to abide by the spending limits set forth in the bill.

And let us be clear on one point, especially. This bill does not require public financing of congressional elec-

tions. That is a canard, or red herring that has been bandied about to defeat efforts at campaign reform. If both candidates agree to abide by the limits, there will be no public financing. For that matter, if neither candidate agrees to abide by the limits there will be no public financing.

The candidate would decide whether or not to agree to the spending limits. In addition, the candidate would have to meet certain criteria.

First, the candidate would have to raise a certain amount of individual contributions, largely from voters inside his or her State. Seventy-five percent of the total must be from in-State contributors, and only the first $250 of a contribution qualifies for meeting the threshold requirement.

Second, the candidate must not have spent more than two-thirds of the spending limit in the primary election.

Third, the candidate cannot use more than $20,000 of personal or family funds for the campaign. So much for the rich buying a seat in the Senate.

Finally, the candidate must agree in writing to abide by the spending limits.

Once a candidate complies with those requirements, he or she is entitled to certain benefits. First, such candidates would be eligible for the "lowest unit broadcast rate." This is a rate which is now available to all candidates. S. 2 would limit that low rate to those candidates complying with the spending limits.

Second, the candidate would be eligible for reduced mailing rates. This would be offset by eliminating the current reduced rate which the national party committees currently enjoy. Thus, there would be no additional public cost for either of these benefits.

In addition, if a candidate were the victim of media attacks by independent groups, he would be eligible for matching funds from the tax checkoff if the media campaign went above a $10,000 level.

Now, if both candidates have complied with these requirements, there will be no public financing. Only if one candidate insisted on spending exorbitant amounts of money on a campaign would public financing begin.

Mr. President, we have an opportunity here to bring some sanity to the financing of our election campaigns. The Nation is watching what we do here. And we should not let this opportunity pass us by.

I urge our colleagues on both sides of the aisle to join with the majority leader of the U.S. Senate, to join with us who are sponsoring this legislation in achieving at long last some real campaign finance reform.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee yields the floor. Is there further debate?

Mr. MELCHER addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. MELCHER. Mr. President, the problem now before us is what to do about restricting campaign expenditures. I am very much concerned about that because I believe they should be restricted. I believe campaign spending on Senate campaigns and House campaigns is out of sight. It is much too high.

I want to tell you why I reach that conclusion, and why I watched with a great deal of concern over the past 4 or 5 years—as a matter of fact, 6 or 7 years since the last time I ran in 1982. I am up again this year. But perhaps my experiences are of some value and I shall outline them because at least it will show my colleagues why I reach the conclusion I do.

When I first started running for public office 35 years ago it was in city government, was nonpartisan, and it was considered as somewhat of a sacrifice to run for it and to serve. I was on the city council, and then I was persuaded to run for mayor. And about all there was to it was putting an ad or two in the local newspaper. And you always paid for that out of your own pocket. It was not a tough deal.

But when I kept on running for public office in the legislature and found out that in order to do that you are supposed to have some campaign literature, and let the folks know that you are in this for serious and go around asking for their vote, I found that I had to overcome my reluctance or bashfulness of knocking on people's doors and say "I wish you would consider my candidacy for the State House of Representatives" or the Montana Senate.

But what I thought was even more humbling was asking people to contribute money to pay for the brochures and to pay for the ads in the newspapers.

I think it discourages a lot of people from becoming involved in campaigns. The cost of financing these campaigns is indeed a detriment to attracting very likely looking candidates for both the House and the Senate. The first time I ran for the House seat it cost $75,000. The last time I ran for a House seat it probably only cost $90,000. So the first time I ran for the Senate in 1976 it was about a half million dollars in costs. In 1982, it was between $800,000 and $900,000. In 1988, we are estimating it will cost for my campaign $1.2 million.

When you consider the average of all the campaigns for Senate votes and all of the States that does not sound bad at all, $1.2 million. But you have to review what the population of Montana is. We have less than a million people. Population-wise, we are one of the smaller States. But I am really thinking about 1976 to 1988 of around half a million dollars in 1976, and 1982, $800,000 or $900,000; in 1988 we are estimating $1.2 million. We may be higher. We are not sure.

In Montana, with less than a million folks, we have eight television markets, we have 25 radio markets, 11 daily newspapers, 56 county newspapers, which is not all that many. But from east to west Montana is 800 miles, beginning from one side of the State and going to the other side. From north to south it is a little over 350 miles beginning on the south side and going to the north side of the State. That is a big area. Seventy-five percent of the eligible voters will probably vote in Montana in 1988.

What do they expect of the candidates? What do the people of Montana really look for from the candidates who are running for the House and Senate this year? It is no different than it has ever been, I do not believe. I believe they want us to come to their town and county, to see their problems, and then to tell them what we stand for as candidates. How is the candidate to get his message before the voter? Well, of course it is advertising. It is using the media, and costs are involved.

Mr. President, I would like to report this whole idea of what are we doing in campaign expenditures over the past 20 years; that is, I think our State and our people have viewed this properly. Before we amended the law or passed a law on campaign reform, in the early seventies Montana had a law requiring reporting of campaign expenditures. And in many respects the Federal law tracks right with our Montana law.

When we had those Federal campaign reform bills before us and successfully passed them in the early seventies. We had all of the debate that goes into why there is a need for having reporting of campaign expenditures, and why there is a need to allow the public to contribute legally in a reportable manner so that everybody can look at those records and determine for themselves whether they think this candidate or all candidates are properly approaching the electorate in an honest manner.

There is not any question, about political action committees which are recognized in the law prior to the passage in the early seventies of the Federal campaign reform. But there is also no question at all that since then PAC's have shot up in numbers, they have matched—some people think they have led, but I think that is inaccurate—in numbers the increased cost of campaigning for either House or Senate seat. Some would argue, well, there are too many PAC's.

How do you tell one group they can have a PAC and tell the other group

they cannot have a PAC? I do not know how you do that

Some people argue that we should cut back on what they contribute to each candidate. Fine. I have no problem with that. If that is what it takes to pass a meaningful campaign expenditure restriction in 1988, I am all for it.

Some people complain about bundling. That term refers to a process where some group writes to a group of people and says: "Send this candidate"—or maybe they name two or three candidates—"a check made out to them directly, to their campaign committee, so that they can get reelected," or get challengers elected for the first time. It is legal. Sometimes I hear muttering about that. It raises so much money.

When I hear it from Democrats, I think it is just a natural feeling the Democrats have that Republicans are much better at it. But it is legal.

I do not think the method of getting the money is what is wrong, as long as it is done legally. I think what is wrong is that there is too much money going into it and that it behooves us in the Senate and it behooves the House, likewise, to pass legislation restricting the amount of money that can be spent in these campaigns.

I was quite surprised this morning, in reading in the Washington Post some remarks attributed to my good friend and neighbor, the assistant Republican leader, Senator SIMPSON, of Wyoming, that seemed to indicate that all this bill did was help Democrats somehow. It is hard to draw a conclusion on that, because I can hardly imagine the assistant Republican leader, my friend, AL SIMPSON, saying that the bill is just to harm Republicans. I do not know how it does that.

I think the real problem is that we need a limit on the expenditures and that we need to set it at a reasonable level and get on with the job of making the people more aware that we are not just going to spend our time as candidates 2 or 3 years before election time in gathering up money for the campaign; that we are not going to have to concentrate so much time on being involved with fundraising that we sometimes limit our activities here, taking care of our duties and responsibilities, limit our activities of actually getting out with the folks during campaign time, addressing their concerns, responding to their inquires, setting forth our reasons and our message for attracting their vote, come election day.

If there is something wrong, as perceived by the assistant Republican leader, my neighbor and friend from Wyoming, Senator SIMPSON, or any other of my Republican colleagues in this body, that there is something wrong with the legislation, this proposed bill, that it is better for Democrats versus Republicans, I would like to correct it.

I have heard the debate about the fact that there should not be government involvement with Federal funds. There need not be any Federal funds involved. If both candidates agree that they will not exceed the cap for the limitation, there are absolutely no Federal funds involved. If one candidate will not agree, then there will be some Federal funds involved, but that would be an unusual situation.

Why do we need to involve ourselves with Federal funds? Surely, I do not want any Federal funds involved. However, I have to say that there is a constitutional prohibition against dictating by law that you cannot spend any more than this amount on a campaign, and that constitutional restriction is the right of free speech. So it has to be a voluntary situation, where the candidate says, "I will not spend more than this."

Often, most candidates find themselves in a situation I have found myself in. I cannot tell you exactly how much I am going to spend in a particular race because I am not sure what my opponent is going to spend, and I may find it necessary to match that, to match the amount of advertising. So, to satisfy the constitutional requirement with respect to free speech, it has to be voluntary. In the bill before us, there would be no Federal funds, unless, for some reason, a candidate said, "I won't agree to the voluntary cap." Then it triggers the system for some Federal funding.

There is a way to curb campaign expenditures, and we need to do it. We need a bill that is no more advantageous for Republicans than for Democrats. I say that seriously. I am a firm believer that it is absolutely essential that we have two strong parties.

When the assistant Republican leader, my friend and neighbor, Senator AL SIMPSON, says that somehow this bill would harm Republican chances for their candidates, I want to correct it. I want it fair.

The political process, in my judgment, is warped right now concerning campaign spending for House and Senate seats. So I think it is imperative that we restore public confidence, give some assurance to the electorate of the United States that we are going to limit it, that we are going to hold it down, that we are going to roll it back a little bit. It is out of hand. It would not do any good, I suppose, for this election, this year. I wish it could. I very much wish it could.

I suppose it is too late for that. But it is not too late for the future, for the next election after this one. And we owe it to ourselves, to our constituency, to the people of the United States, to pass a bill this year to limit campaign expenditures.

I say very earnestly and sincerely, to all of my colleagues and most particularly to my Republican colleagues, that if there is any way to make this bill more fair from the standpoint of either party I would like to participate in that process, and then I would hope that we would join forces in prompt passage of the bill.

Mr. President, before yielding the floor, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair recognizes the Senator from Maryland, Senator SARBANES.

Mr. SARBANES. Mr. President, I rise to speak briefly in support of S. 2 the bill to reform campaign financing, an issue whose time, I think, came long, long ago. I very much hope that the Senate will be able in short order to come to grips with this matter substantively, that we really will be able to consider possible changes in campaign financing and move the bill towards passage. This, in my judgment, is an issue that must be dealt with, and be dealt with expeditiously.

I want to commend the majority leader, Senator BYRD, for his leadership and perseverance in bringing this matter before the Senate and keeping it on the Senate's agenda. I also want to commend Senator BOREN for his leadership in this effort to enact truly meaningful changes in our current campaign financing system.

Mr. President, last year, during the first session of the 100th Congress, the Senate debated this bill for a total of 14 days. It is an issue that we had taken up in previous years, not in the comprehensive form that is now before us, but many of the matters embraced within this legislation has been considered on past occassions by the Senate. Last year, when we were trying to get the bill before the Senate we were unable to do so. There was difficulty even in adopting the motion to proceed.

As you will recall, we went to a cloture vote a number of times, some seven times, as a matter of fact, and while a clear majority of the Senate was in support of the bill, we were not able to command the extraordinary majority of 60 votes necessary under Senate rules to invoke cloture.

In this session, the majority leader was able to get the matter before the Senate by seeking to proceed to it at a time when there was not a debatable proposition. The matter now before us and we need to address the substance of this issue. I feel very strongly that

we are at the point where we should allow the bill to go forward, consider amendments to it, vote up and down on the amendments, and then proceed to vote a final bill which addresses the very serious problems of campaign reform.

I might note that more than a majority of the Senate is cosponsoring this legislation but we have consistently run into the difficult roadblock of a minority of the Members of the body thwarting action on this very important issue.

Mr. President, let me just address a few of the elements of the legislation to underscore why I think it so important for the Senate to act on this matter. In fact, the legislation has been altered and has evolved in the course of its consideration in an effort to try to take into account objections which have been raised, primarily from the other side of the aisle. Senator BOREN and others have engaged in a good faith effort of discussing those objections and trying to see in what ways accommodations can be made. There is, in fact, now, a group of eight working on this matter. Four of our Democratic and four of our Republican colleagues are trying to see if it is possible to work out a resolution of some of the differences that exist. I wish them well in those endeavors, although I obviously would have to reserve judgment on what they produce until I can see it.

I think it is important to try to address at least four major issues in any campaign finance reform legislation. First of all, I think there need to be some limit on overall spending. Spending on elections continues to escalate by leaps and bounds and, of course, as long as you have the possibility of unlimited expenditures on political campaigns, there is a tremendous impetus for the cost of the campaigns to rise and rise. Of course, that places every Member and every challenger, everyone seeking public office, under tremendous pressure to raise large amounts of money.

Second, within the context of overall limits on total spending, I think there need to be limits on the contributions received from political action committees. The role of those committees has been debated sharply, and that, I think, is a reasonable issue for debate. This legislation does not reach to the underlying fundamental issue. It simply accepts the continued participation of political action committees in the process but places limits upon the amount of money which a candidate can receive from such committees, thereby limiting their rule. So the political action committees are not excluded from the process, an issue of importance for those who make the argument that the committee enable individuals to join together and to work collectively in the process. S. 2 also controls certain practices of the committees which really enable them to get around the statutory framework, including the practice of bundling. Bundling is used even now to circumvent the restraints in existing statutes on the amount of contribution which a political action committee can make.

Mr. President, in considering this question of limits on overall spending, it is important to recognize that the Supreme Court, in Buckley versus Valeo, has placed us in a straightjacket in addressing that issue because what the Court has said is that we cannot simply come in and legislate overall limits. The Court, in effect, has said that there must be some form of public benefits in order to establish a system of voluntary campaign spending limits.

That exists, now, in the Presidential elections. If a Presidential candidate takes the public moneys, he is then under certain limitations, which the Court has upheld in light of its previous case.

This brings us to the question of a component of public financing, which is now a minimal element in the legislation. A criticism had earlier been made about the amount of public funds that would be involved in the public financing of campaigns. The sponsors of this legislation addressed that criticism and came up with a compromise. It sought to maintain the essential legal rationale of this bill so that overall limits could be established with reference to public benefit and, yet, would reduce the amount of public funds that were needed.

The compromise put forward late last year provides that no public financing would accrue to a candidate unless his or her opponent exceeds the State's voluntary spending limit in either fundraising or in campaign expenditures and, of course, this significantly reduced the estimated amount of public funds which would be necessary under the legislation.

In fact, if every candidate agreed to the voluntary spending limitation, there would be no public funds involved at all. If a candidate refused to comply with the spending limits, then the opponent of that candidate would be able to draw on public funds to the extent that the person refusing exceeded the campaign limit.

That seems to me a sensible effort to try to preserve the legal rationale necessary for establishing the overall limits while addressing the objections some have raised regarding the degree of public financing.

Since mandatory spending limits cannot be undertaken with respect to campaigns for Federal office, you have to have voluntary limits and, to structure those, you have to provide an incentive which is, of course, what the public financing aspect of this legislation would do. In other words, it would constitute an incentive for candidates to comply with the voluntary spending limits, which the law provides.

I think those limits are reasonable. They have been adjusted. It is a question one can raise, whether the limits being established constitute a fair competitive environment in a political election, and adjustments have been made in order to address that very question. My own view is that the figures they are now using are certainly within the range of reasonableness in providing a competitive political environment.

Concerning the limitation on the contributions a candidate can receive political action committees, had this bill been in effect during the 1986 elections, the amount of contributions that the political action committees could have given would have been one-third of what was actually given. In other words, they could have contributed about $16 million instead of the $45 million which was contributed in 1986.

There is another issue which S. 2 addresses which I believe is very important. That is the question of independent expenditures. I have firsthand knowledge of the nature of independent expenditures because in 1982, the National Conservative Political Action Committee came into my State and expended almost three-quarters of a million dollars in that election, allegedly as an independent political expenditure in a highly negative campaign which has generally been the hallmark of independent expenditure effort.

This legislation provides that if a candidate complies with the voluntary spending limit and an outside group or a wealthy individual came in with a so-called independent campaign and spent over $10,000 on a media campaign, the candidate would be eligible for matching money to address this attack that was coming from the so-called independent expenditure sources. That, at least, provides some opportunity for a candidate who is under attack, not by the opposing candidate, not by the opposing party, which is the traditional framework in which our political competition has been taking place, but under assault by a so-called independent expenditure committee which simply engages in a negative campaign. At least it would give a candidate under attack some resources to counter that effort.

The legislation also addresses the issue, which a number of people have raised, of the possibility of a wealthy individual simply providing millions of his or her own money to fund the campaign without showing any appeal to a broad cross-section for political resources in order to run an election. S. 2, therefore, places a limitation on the

amount an individual can spend of his own money.

Mr. President, I think it very important in addressing this question to recognize that there is a necessity to counter the growing perception of the pervasive and pernicious influence of money in politics. Last year, we marked the bicentennial of the American Constitution. We celebrated 200 years of the anniversary of our basic charter of Government, which provides the framework of our representative democracy, and I think it is important in the immediate aftermath of that bicentennial to take an important step which would greatly restore public confidence in our electoral system.

There is no question that the current system is a tragedy simply waiting to happen, and if every Member will stop and think carefully about the presssures that exist under the current arrangement, the fact that expenditures are unlimited, the sky is the limit, the nature of the pressures to try to raise huge amounts of funds for a political effort and the potential harm which exists in that endeavor, they cannot help but conclude that something must be done.

This is reasonable legislation. It is sensible legislation. The cap which it seeks to place on overall spending would, in effect, structure limits that would reduce much of the pressure that is now present. The control on how much PAC's can contribute, the restraints placed on the so-called independent committees which enter into elections almost as an alien force, not responsible, not themselves going before the electorate for the judgment of the voters, and the restraint it places on wealthy individuals—I think these are all very important.

I believe it provides an assurance to the citizens about the fundamental soundness of the elective process and restores credibility to our campaign financing laws and, therefore, will contribute to restoring credibility to our elections.

A majority of this Senate has again and again indicated its support and the necessity to take legislative action in this area. I hope that the Senate, in short order, will be able to turn its attention to the substance of this legislation and move forward with it, enact it in the near future, send it to the House of Representatives, and move it on its way to its place in the statute books of our country.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FORD). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AFGHANISTAN FREEDOM FIGHTERS

Mr. SYMMS. Mr. President, I want to call to the attention of my colleagues today that I have sent a "Dear Colleague" letter which they will soon receive. It deals with the important question of the victory that the Mujahidin freedom fighters are achieving in Afghanistan. The Soviet Army have been unable to achieve any kind of a military victory. From my own observations in Pakistan about 3 weeks ago, it is safe to say that the Soviet Army is being defeated on the battlefield by the freedom fighters. The Mujahidin have been very emboldened with the advent of surface-to-air missiles and other weapons that have become available to them through our efforts and other friendly nations to freedom.

This is important for the U.S. Senate to speak on.

When I was in Peshawar, Pakistan, I had the opportunity to meet with the Yunis Khalis, who is the leader of the two tribes of Mujahidin. The concern he expressed to me was that he was afraid the United States and the Soviet Union would make a deal, and leave the freedom fighters out of it. The message he wanted to send back to the United States was that the freedom fighters were going to fight on until the last Russian troop and the last vestige of the Soviet influence is pushed back out of their country. The freedom fighters would compromise and settle for nothing less.

They thought it was the responsibility of Afghanistan citizens and people to help get the 3 million refugees back in the country, and restore a government that is suitable to the wishes of the Afghan people—not something that might be suitable to the United States, the Soviet Union, or any other parties; that they wanted it suitable to their own countrymen.

So I have sent a "Dear Colleague" letter out which I ask unanimous consent that at the end of my remarks it be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMMS. Immediately following that, I ask unanimous consent to have printed in the RECORD the text of the resolution which I shall introduce.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. SYMMS. Mr. President, I will not introduce the resolution today, because it would be my hope that in discussing this issue with the minority and majority leadership, it might be possible for the Senate to vote on this resolution without having it go to committee.

The basic text of the resolution, the action clause, is as follows:

(b) It is therefore the sense of the Senate that the government of the United States should not cease, suspend, diminish, or otherwise restrict assistance to the Afghan freedom fighters so long as any Soviet or Soviet-bloc forces remain in Afghanistan.

I think it is important that the Senate speak to this issue. It would send a signal of confidence to those people who are fighting for their freedom in Afghanistan, against the oppression of the Soviet Army. But also for the freedom of all mankind in the world today.

It is interesting to note that the Soviet Army has killed over 10 percent of the population of Afghanistan, but they have not broken the will or the spirit of the Mujahidin. These people are fierce, freedom-loving, and independent, and they deserve the commendation of all people on this Earth.

We can be very proud, as Americans, that we have provided them with the wherewithal to carry on this victory, and we should continue to carry it on. It is a way for us to repudiate the Brezhnev doctrine, to demonstrate to free peoples around the world that if a resistance movement comes into being, we in the United States will stand beside and help them.

I will not make any comments with respect to what happened on the vote on Central America in the House of Representatives, but I think it goes without saying that that sends the wrong signal and that this would send the right signal.

EXHIBIT No. 1

COMMITTEE ON ARMED SERVICES,
Washington, DC, February 19, 1988.

DEAR COLLEAGUE: I will soon be introducing legislation concerning United States assistance to the Afghan Mujahidin. A copy of the draft legislation is attached for your review.

It is encouraging that arms control discussions have been accompanied by a serious review of regional conflicts and human rights violations. I compliment the Administration on pursuing these very important matters. Moreover, the revelation that the Soviets may soon begin withdrawal of their forces is promising.

However, I am very concerned that the State Department may place U.S. assistance to the Afghan freedom fighters on the negotiating table as a possible "bargaining chip" to foster Soviet troop withdrawal.

I believe there are two reasons the Soviets have begun discussing a timetable to withdraw their forces from Afghanistan.

First, is the courage and determination of the Mujahidin. Their will to bring about a more democratic form of government is applauded by all Western nations. And, despite the overwhelming Soviet-bloc military advantage, the freedom fighters consistently have repelled the communist offensives.

Second, is the United States' support for the Mujahidin. Without our willingness to provide military and humanitarian assistance, their fight for freedom and independence indeed would be extremely difficult and costly. In addition, U.S. support for the

Afghan freedom fighters has provided the impetus for other Western governments to openly endorse the Mujahidin's struggle for freedom.

For these reasons, it is timely and important for the Senate to go on record opposing any effort to cease, suspend, diminish, or otherwise restrict assistance to the Afghan freedom fighters. Ending our military aid to the Mujahidin should come only in response to the total withdrawal of Soviet-bloc troops from Afghanistan.

If you have any questions, comments, or would like to cosponsor this legislation, please contact myself or Andrew Jazwick of my staff at 224-1557.

Sincerely,

STEVE SYMMS,
U.S. Senator.

EXHIBIT 2

(Resolution expressing the sense of the Senate regarding assistance to Afghan Mujahidin)

Resolved,

Section 1. Human Rights in Afghanistan

(a) Congress finds:

(1) that the Soviet Union has currently deployed approximately 120,000 Soviet troops to wage war on the people of Afghanistan;

(2) that the Soviet occupation of Afghanistan, which has continued for over ten years, has resulted in the deaths of over 1,000,000 Afghans, or 9% of the population;

(3) that 46% of all deaths have resulted from aerial bombing of civilian populations, mostly women and children;

(4) that the Soviets have engaged in a persistent pattern of torture and violation of human rights, including beatings, electric shock, cigarette burns, immersion in cold water or snow, and deprivation of water, food, and sleep;

(5) that 2.9 million refugees are currently registered in Pakistan;

(6) that the Third Committee (Human Rights) of the United Nations General Assembly has voted for three consecutive years condemning the violations of human rights in Afghanistan; and

(7) that the violations of fundamental human rights, including the right to life and liberty, represent crimes against humanity.

(b) It is therefore the sense of the Senate that the government of the United States should not cease, suspend, diminish, or otherwise restrict assistance to the Afghan freedom fighters so long as any Soviet or Soviet-bloc forces remain in Afghanistan.

DEATH OF CHIANG CHING-KUO

Mr. SYMMS. Mr. President, I note with sadness the passing of Chiang Ching-Kuo to his reward recently, after 77 years.

I had the opportunity in 1975, and again in 1982, to meet with President Chiang in Taiwan. I think that he left a legacy to all people to demonstrate how important a free society can be and how much stronger their economy is in free China as opposed to Communist China.

We have watched with great interest and enthusiasm, the last 2 or 3 years, the move toward market ideas on the mainland of China, so to speak, to recognize how well their colleagues have done on the island of Taiwan.

I ask unanimous consent that an article from Human Events, February 6, 1988, by Roger A. Brooks and Richard D. Fisher, Jr., be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMMS. Mr. President, President Chiang was a great friend of America. But, more important, he was a great friend of free people all over the world. His legacy in Taiwan was that it made his nation a model for economic and democratic and political development in the Asia-Pacific region. He ensured that his country remained a close and a loyal friend to the United States, even when the United States betrayed that friendship with respect to the new recognition of the People's Republic of China and expelled free China from the United Nations. But he never ceased his steadfast loyalty for the United States.

As one Member of the Senate—and I know others share this view—I believe that we will be forever indebted to his memory and to his family. We mourn his loss, but we think he left a legacy which will live long past his memory and that it will be an example of freedom in that very important part of the world.

EXHIBIT 1

CHIANG CHING-KUO'S LEGACY FOR CHINA AND THE U.S.

(By Roger A. Brooks and Richard D. Fisher, Jr.)

The passing of Chiang Ching-Kuo at age 77 ends an era for the Republic of China on Taiwan. As president of the ROC since 1978, he made his nation a model for economic and democratic political development in the Asia-Pacific region. He also ensured that his country remained a close and loyal friend of the United States, even when the U.S. betrayed that friendship.

Just as Chiang's passing gives the people of the ROC a chance to review and reaffirm his commitment to economic growth and democratization, so it gives the U.S. the chance to reaffirm its commitment to the ROC as defined by decades of close cooperation and by the 1979 Taiwan Relations Act. It is this commitment which Washington must express forcefully to Chiang's successor as ROC president, Lee Teng-hui.

Chiang Ching-Kuo began the process of democratic pluralism in the ROC after he was named Premier in 1972. He allowed the creation of an opposition party and began recruiting native Taiwanese to join the Kuomintang, the ruling political party. He lived to see the dividends of this policy.

In recent local elections, for example, 80 percent of the candidates were Taiwanese. President Lee himself is native Taiwanese. Then last year, Chiang ended martial law rule. This encouraging ROC development confirms Jeane Kirkpatrick's observation that potential for evolution toward democracy stands a vastly greater chance for success within authoritarian systems than within totalitarian systems.

As the new era on Taiwan begins, Washington must maintain its legal and moral obligations to the people of the ROC. U.S. forces were based in Taiwan until 1979 and the ROC provides an alternative base should U.S. troops be forced to leave the Philippines. In the coming months, the U.S. should:

Assert the primacy of the 1979 Taiwan Relations act over the Joint Communique of 1982.

In 1979, after Jimmy Carter peremptorily broke relations with the ROC, Congress passed the Taiwan Relations Act by staggering majorities. When Carter signed the Act, it became the law of the land. The Act commits the U.S. to sell arms to the ROC indefinitely "in such quantities as may be necessary" and assist the ROC in the event of an attack. This Act, of course, takes precedence over any unilateral statement by the Executive Branch, such as the 1982 U.S.-Beijing Communique committing the U.S. to gradually reduce its arms sales to the ROC.

Maintain free trade between the ROC and U.S.

Despite a population density nine times that of the Chinese mainland and virtually no natural resources, per capita income in the ROC today exceeds $5,000 compared to roughly $400 on the mainland.

Though diplomatically recognized by only 23 states, the ROC trades with over 140 states. The ROC currently is the sixth largest U.S. trading partner. More than most other countries, the ROC is acting to reduce its surplus with the U.S. by allowing its currency to appreciate rapidly, by sending buying missions to the U.S., and by reducing tariffs on 3,500 items. The U.S. and the ROC can improve their trade relations by establishing a U.S.-ROC Free Trade Area, based on the model recently adopted by the U.S. and Canada.

Encourage Taipei and Beijing to determine their own future without outside interference.

The U.S. must remain firm that the eventual reunification of Taiwan with the mainland is a matter of Taipei and Beijing to resolve themselves and do so peacefully. Washington must avoid participation in reunification talks and let the ROC proceed with democratization without interference.

President Chiang last September demonstrated Taiwan's confidence in improving relations with Beijing by announcing the beginning of limited visitation by elderly mainland-born citizens to the People's Republic of China. Already, some Taiwanese journalists have visited Beijing. Indirect trade between the ROC and the mainland exceeds $2 billion annually.

Avoid selling weapons to Beijing that threaten ROC security

Recent arms sales to Beijing by the U.S. and other Western countries are eroding the ROC's military technological superiority that has kept the military balance in the Taiwan Strait. The U.S., in particular, should avoid selling advanced electronics and naval technology to the PRC.

U.S. friendship with the ROC has flourished through 40 years and eight U.S. Presidents. The death of Chiang Ching-Kuo, though a sad event, should provide the U.S. an opportunity to reassert its friendship and reaffirm its support for increased democracy in the ROC.

WHY THE SOVIETS CAN'T WIN QUICKLY IN CENTRAL EUROPE

Mr. WIRTH. Mr. President, continuing with the series that I have been focusing on on conventional arms con-

trol, I want to speak briefly this afternoon about John Mearsheimer's article, "Why the Soviets Can't Win Quickly in Central Europe," International Security, summer, 1982.

John Mearsheimer, author of the highly regarded book "Conventional Deterrence" provides a seminal analysis of the conventional balance on Europe's central front in terms of the Warsaw Pact's ability to win quickly in a conventional conflict.

Mearsheimer contends that the conventional balance is not nearly as out of balance as is widely perceived. His aim here is to assess the Warsaw Pact's capacity to affect a blitzkrieg against NATO. To measure this capability, Mearsheimer evaluates whether the Soviet Union has the "force structure, the doctrine, and the raw ability" to implement this strategy. He further analyzes NATO's defense capabilities and the theater's terrain in an effort to determine NATO's ability to thwart such a blitzkrieg. His essential conclusion is, that while NATO certainly could not win a conventional war with the Soviet Union, it could deny it a quick victory and then hold out in a war of attrition.

As noted, Mearsheimer evaluates pact force structure, doctrine, and raw ability in his assessment of the pact's capacity for a blitzkrieg attack. Regarding force structure, he contends first, that the pact does not have overwhelming manpower advantages vis-a-vis NATO, and does not have sufficient manpower for a blitzkrieg attack; second, that the pact has irrefutable numerical advantages in weapons, but that NATO's edge in quality and training largely neutralize the pact's strength in numbers; and, third, that, while NATO's mobilization and reinforcement capabilities may not equal the pact's, NATO has the potential to maintain overall ratio of forces very close to premobilization ratios.

Regarding doctrine, Mearsheimer assumes that in a conventional war, the Soviet Union will employ a blitzkrieg attack, that is, they will amass armored forces along one or several points on the defender's front, pierce that front, and rapidly advance to the enemy's rear. What are the prospects for the Soviet Union to achieve this strategy? According to Mearsheimer, one must evaluate two important criteria: First, can the pact achieve the necessary force ratios along the main axes of attack in order to puncture NATO's lines of defense, and second, if the pact can pierce NATO's lines, can the pact then successfully advance to NATO's rear areas. Based on well-known NATO deployment patterns as well as geographic and topographical constraints, and likely Soviet deployment patterns, Mearsheimer concludes that NATO could most likely stop a Soviet blitzkrieg attack and convert the conflict into a war of attrition.

Regarding Soviet and Warsaw Pact raw ability to execute such an attack, Mearsheimer expresses considerable doubt as to the pact's prospects for success. While nothing that pact forces are configured for blitzkrieg, Mearsheimer details weaknesses in Soviet training, in the ability of lower level officers to take initiative, in overcentralized command structures, and in the uncertain reliability of non-Soviet pact forces. He remains skeptical that the Soviet Union would have the requisite ability to execute the complex and difficult blitzkrieg attacks with the necessary precision.

While Mearsheimer believes NATO could successfully meet a pact blitzkrieg attack, he specifies two important caveats for continuing these prospects for success: First, NATO must proceed with ongoing improvements in its force structure, including strengthening the sustainability of forces; and, second, NATO must mobilize, and it must attempt to do so in ways that do not provoke Soviet attack. Mearsheimer, like other analysts, assigns extreme importance to warning time and mobilization. A prerequisite for NATO success in thwarting a pact blitzkrieg is receiving ample warning time and then mobilizing immediately to meet the threat. Even a few days delay could be disastrous for NATO.

Mr. President, I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY THE SOVIETS CAN'T WIN QUICKLY IN CENTRAL EUROPE

(By John G. Mearsheimer)

In light of the emergence of strategic parity and NATO's manifest lack of enthusiasm for tactical nuclear weapons, the importance of the balance of conventional forces in Central Europe has increased significantly in the past decade. Regarding that balance, the conventional wisdom is clearly that the Warsaw Pact enjoys an overwhelming advantage. In the event of a conventional war, the Soviets are expected to launch a blitzkrieg that will lead to a quick and decisive victory.

The implications of this specter of a hopelessly outgunned NATO are significant. Certainly, NATO's behavior in a major crisis would be influenced by its view of the conventional balance. Futhermore, one's preception of the conventional balance directly affects his or her view of the importance of both strategic and tactical nuclear weapons for deterrence in Europe.

The fact of the matter is that the balance of conventional forces is nowhere near as unfavorable as it is so often portrayed to be. In fact, NATO's prospects for thwarting a Soviet offensive are actually quite good. Certainly, NATO does not have the capability to win a conventional war on the continent against the Soviets. NATO does have, however, the wherewithal to deny the Soviets a quick victory and then to turn the conflict into a lengthy war of attrition, where NATO's advantage in population and GNP would not bode well for the Soviets.

The aim of this article is to examine closely the Soviets' prospects for effecting a blitzkrieg against NATO. In analyzing this matter, two closely related issues must be addressed. First, one must determine whether the Soviets have the force structure, the doctrine, and the raw ability to implement this strategy. In other words, do the Soviets, when viewed in isolation, have the capacity to effect a blitzkrieg? Secondly, when NATO's defense capabilities and the theater's terrain are considered, what then are the prospects for Soviet success? It may very well be that the Soviet military is well-primed to launch a blitzkrieg, but that NATO in turn has the capability to thwart it.

Any assessment of the NATO-Pact balance is dependent on certain assumptions made about the preparatory moves both sides take before the war starts. Among the many that might be considered, three scenarios are most often posited. The first of these is the "standing start" attack, in which the Soviets launch an attack after hardly any mobilization and deliver a knock-out blow against an unsuspecting NATO. This is not, however, a likely eventuality.

Secondly, for a war in Europe to become a realistic possibility, there would have to be a significant deterioration in East-West relations. Given such a development, it is very likely that both sides will take some steps, however limited, to increase the readiness of their forces. It is difficult to imagine a scenario where an alert Pact catches NATO completely unprepared.

The second scenario is a more realistic and more dangerous one. Here, in the midst of a crisis, NATO detects a Pact mobilization, but does not mobilize its forces for a fear of triggering a Soviet attack. Surely, if NATO fails to respond quickly to a Pact mobilization as posited in this second scenario, the Pact would soon be in a position to inflict a decisive defeat on NATO.

In the third scenario, NATO's mobilization begins immediately after the Pact starts to mobilize. Here, the Pact does not gain an overwhelming force advantage as a result of NATO's failure to mobilize. It is with this third scenario that I shall concern myself in the present essay. The assumption on which I base the following analysis is that strategic warning and mobilization are acted upon by NATO; the raw capabilities of the opposing forces will thus be examined under those clearly defined conditions.

The Balance of Forces on the Central Front

There are generally two alternative ways of assessing the balance. One is to focus on the manpower on each side, while the other is to compare weaponry.

MANPOWER

Robert Lucas Fischer, in his 1976 study of the conventional balance in Europe (which is, unfortunately, one of the few comprehensive studies done on that subject), notes that NATO has 414,000 men in its divisions, while the Pact has 564,000. With this measure of divisional manpower, the Soviet advantage shrinks to 1.36:1. Fischer calculates that when overall manpower levels on the Central Front are considered, the Pact's advantage shrinks even further to 1.09:1. This is because NATO has traditionally had more men assigned to combat units which are not organic to divisions. Since the study was issued, the Pact has added approximately 50,000 men, raising the overall advantage in manpower to 1.15:1—hardly an alarming

figure. These figures are clear evidence that NATO is not hopelessly outnumbered.

WEAPONS

It is not difficult to compare numbers of specific weapons on each side. Such comparisons, however, do not take into account qualitative differences within the same category of weapons nor do they deal with the problem of comparing different categories of weapons (i.e., tanks vs. artillery).

REINFORCEMENT AND MOBILIZATION

Now, consider the critical matter of comparative reinforcement capabilities. Although NATO's reinforcement capability is not as great as the Soviets' in an absolute sense, NATO has the potential to keep the overall ratio of forces very close to the pre-mobilization ratio. The notion that the Soviets can rely on some massive second echelon that NATO cannot match is a false one. However, the ratio of forces in any future mobilization will be heavily influenced by the timeliness with which each side starts to mobilize. If NATO begins mobilizing its forces before the Pact does, or simultaneously with the Pact, then the force ratios will remain close to the 1.2:1 (in armored division equivalents) and 1.36:1 (in divisional manpower), the ratios which obtained before mobilization. If NATO starts mobilizing a few days after the Pact, then the balance of forces should approach but not exceed a 2:1 ratio in the very early days of mobilization and then fall to a level close to the pre-mobilization ratios. But once the gap in mobilization starting times reaches seven days (in the Pact's favor), NATO begins to face serious problems, problems which become even more pronounced as the mobilization gap widens further.

It should be emphasized that there are definite limits to the utility of measuring force levels. Nevertheless, it is clear that if one side has an overwhelming advantage in forces, that glaring asymmetry is very likely to lead to a decisive victory. The previous analysis of the balance of forces in Europe indicates that the Soviets do not enjoy such an overwhelming advantage. They do not have the numerical superiority to simply crush NATO. In a conventional war in Europe, whether or not the Soviets prevail will depend on how they employ their forces against NATO's defenses. In other words, success will be a function of strategy, not overwhelming numbers.

Doctrine

NATO's forces are arrayed to support a strategy of forward defense. In other words, to meet a Pact offensive, the forces in each of NATO's corps sectors are deployed very close to the border between the two Germanies. How do the Soviets plan to fight a non-nuclear war in Europe? The assumption here is that they will employ a blitzkrieg. This strategy calls for the attacker to concentrate his armored forces at one or more points along the defender's front, pierce that front, and race deep into the defender's rear. The aim is to avoid a broad frontal attack and, instead, to drive a small number of powerful armored columns into the depths of the defense.

To determine whether the Soviets can successfully launch a blitzbrieg against NATO's forward defense, two key questions must be answered. First, can the Soviets achieve the necessary force ratios on their main axes of advance so that they can then open gateways into NATO's rear? In other words, given the deployment of NATO's forces as well as the terrain, how likely is it that the Soviets will be able to repeat the German achievement opposite the Ardennes Forest in 1940? Is it true, as advocates of a maneuver-oriented defense claim, that the Pact can choose any point on the NATO front and achieve the the superiority of forces necessary to effect a breakthrough?

Second, if the Soviets are able to tear open a hole or two in NATO's defensive front, will the Soviets be able to exploit those openings and penetrate into the depths of the NATO defense before NATO has a chance to shift forces and slow the penetrating spearheads? Effecting a deep strategic penetration in the "fog of war," when the defender is doing everything possible to seal off the gaps in his defense, is difficult and requires a first-rate army. How capable is the Soviet Army of accomplishing this difficult task? Although it is not possible to provide definitive answers to these questions, there is good reason to believe that NATO is capable of thwarting a Soviet blitzkrieg and turning the conflict into a war of attrition.

THE INITIAL DEPLOYMENT PATTERNS

When considering Soviet deployment patterns for a conventional European war, the most basic question is: how will the Soviets apportion their forces across the front? More specifically, will the Soviets disperse their forces rather evenly across the front, mounting attacks along numerous axes, or will they concentrate their forces at one, two, or three points along the inter-German border? In many of the accounts by Western analysts, it is assumed that a Soviet offensive will be a multi-pronged one.

It is possible that the Soviets might choose to launch an offensive along multiple axes of advance. This would be consistent with their doctrine for fighting a nuclear war in Europe, where the emphasis is on keeping the attacking forces widely dispersed so that they are not vulnerable to nuclear attacks. However, such a deployment pattern would hardly facilitate employment of a blitzkrieg, simply because it would be virtually impossible for the Soviets, given the present overall balance of forces, to achieve overwhelming force ratios on any of the axes. If the Soviets hope to defeat NATO with a blitzkrieg, they will have to concentrate massive amounts of armor on one, two or, at most, three major axes of advance. This raises the obvious questions: where are those axes likely to be? and how well-positioned is NATO to deal with the most likely Pact deployment patterns?

It is most unlikely that the Pact would place a major axis of advance in either the far north or the far south of the NATO front. In the south, this would preclude a major attack against II German Corps, simply because it would not result in a decisive victory. The Allies could afford to lose almost the entire corps sector, reaching back to the French border, and they would still be able to continue the war. Moreover, the mountainous terrain in this part of Germany is not conducive to the movement of large armored forces. In the north, a major offensive against Schleswig-Holstein is unlikely. Although the terrain is not mountainous in this sector there are still enough obstacles (bogs, rivers, urban sprawl around Hamburg) to hinder the movement of a large armored force. Furthermore, a Pact success in this region would not constitute a mortal blow to NATO. The main body of NATO's forces would still be intact and capable of conducting a vigorous defense.

CHANNELING FORCES: THE PACT'S AXES OF ATTACK IN CENTAG

The Soviets are most likely to locate their main attacks along the front stretching from the I Dutch Corps Sector in the north to the VII American Corps Sector in the south. Let us first consider the three key corps sectors in CENTAG (III German, V U.S., and VII U.S.). Generally, the terrain in the CENTAG area is very obstacle-ridden. Besides being a mountainous region, it has numerous rivers and forests. Consequently, there are a small number of natural avenues of attack in CENTAG. Actually, there are three potential axes on which the Soviets are likely to attack.

The most threatening of the three possibilities would be an attack from the Thuringian Bulge through the Fulda Gap, aimed at Frankfurt. Except for the Fulda River, the terrain on this axis should not greatly hinder the movement of large armored forces. Importantly, this axis cuts across the "wasp-waist" or the narrowest section of Germany. The distance from the inter-German border to Frankfurt is a mere 100 km. Frankfurt, because of its central location in Germany's communications network, would be a most attractive target. Capturing Frankfurt would effectively cut Germany in half, and given the importance of north-south lines of communication, would leave NATO's forces in southern Germany isolated.

The second potential axis of advance is located in the sector covered by the III German Corps. The attacking forces would move through the Gottingen Corridor, just south of the Harz Mountains. The industrialized Ruhr is located due west of Gottingen.

There is a third potential axis of advance in CENTAG, although it is less attractive than the axes which run through the Fulda Gap and the Gottingen Corridor. The axis runs from Bohemia through the area around the city of Hof toward Stuttgart: the Hof Corridor. The terrain that an attacking force would have to traverse there is considerably more obstacle-ridden than the terrain along the other axes. Moreover, Stuttgart is a far less attractive target than either Frankfurt or the Ruhr. Aside from these three axes, there are no attractive alternatives.

NATO's forces in CENTAG should be able to contain a major Soviet attack in this region. There are only a limited number of potential axes of advance, each of which is quite narrow and well defined and each of which NATO is well prepared to defend. Moreover, NATO has contingency plans to shift forces to combat Soviet efforts designed to achieve overwhelming force ratios at the points of main attack. NATO's prospect of successfully halting a Soviet attack are further strengthened by the terrain, which not only limits the number of potential axes, but also channels the attacking forces across the width of Germany. In other words, the potential axes of advance are rather narrow and do not allow the attacker to spread his forces after the initial breakthrough.

THE NORTH GERMAN PLAIN: OPEN ROAD FOR A PACT ADVANCE?

Now, consider NATO's prospects for containing a Soviet attack directed against NORTHAG. It is widely held that NATO is more vulnerable in this region than in CENTAG. The terrain in NORTHAG, because it is not mountainuous and covered with forests, is generally held to be more fa-

vorable to the movement of large armored formations. Secondly, there are doubts about whether the Dutch and the Belgians, and even the British, have the capability to withstand a Soviet attack. Notwithstanding that NATO is more vulnerable in this region than in CENTAG, the prospects for thwarting a major Soviet attack in NORTHAG are quite good. The terrain is not obstacle-free by any means and, as will become clear, the Belgian and Dutch Corps Sectors are not the weak links that they are often said to be. Approximately one-third of the front is covered by the Harz Mountains, while the terrain throughout the depth of the corps sector is laden with obstacles.

The North German Plain, above the Belgian Corps Sector, is covered by the I British and I German Gorps. There is widespread agreement that the Pact will place a single main axis against NORTHAG and that that axis will be located on the North German Plain. Athough there are no mountains and few forests in this region, there are obstacles in both the German and British Corps Sectors. In the British Corps Sector, there is significant urban sprawl centered on Hannover, which is located in the heart of this corps sector. Armored forces simply will not be able to move rapidly through those urban areas that NATO chooses to defend.

Finally, even if the attacking forces were able to penetrate through this sector rapidly, it is unlikely that NATO would be mortally wounded. Certainly, NATO would feel the loss of the ports in nothern Germany. However, since the attacking forces would exit Germany into the nothern part of the Netherlands, NATO would still have access to the most important Belgian and Dutch ports.

In sum, given the initial deployment patterns of both NATO and the Pact, it appears that NATO is reasonably well deployed to meet a Soviet blitzkrieg. Although both Pact and NATO deployment patterns have been examined, attention has been focused, for the most part, on examining NATO's capability to thwart a blitzkrieg. Now let us shift the focus and examine in detail Soviet capabilities.

Soviet Capabilities for Blitzkrieg Warfare

To ascertain whether the Soviet Army has the capacity to effect a blitzkrieg, it is necessary to examine that Army on three levels. First, one must consider how the Soviet Army is organized. In other words, are the forces structured to facilitate a blitzkrieg? Second, it is necessary to consider doctrine, a subject that has already received some attention. Finally, there is the matter of raw skill. Assuming that the problems with force structure and doctrine are minimal, is the Soviet Army capable of performing the assigned task?

Since almost all the Pact divisions that would be used in a European war are either armored or mechanized infanty, it seems reasonable to assume that the Pact is appropriately organized to launch a blitzkrieg. On close inspection, however, there are potential trouble spots in the Pact's force structure. Over the past decade, Soviet divisions have become extremely heavy units. Western analysts pay a great deal of attention to the large and growing number of tanks, infantry fighting vehicles, artillery pieces, rocket launchers, surface-to-air missiles, air defense guns, anti-tank guided missiles (ATGMs), and assorted other weapons that are found in Soviet as well as other Pact divisions. Past a certain point, however, there is an inverse relationship between the mass and the velocity of an attacking force. As the size of the attacking force increases, the logistical problems as well as the command and control problems increase proportionately. Then, it becomes very difficult to move that force rapidly—an essential requirement for a blitzkrieg, where the attacker is seeking to strike deep into the defender's rear before the defender can shift forces to deal with the penetrating forces.

Consider now the matter of doctrine. As noted earlier, it is not possible to determine exactly how the Soviet plan to fight a conventional war in Europe. This is because the Soviets themselves are not sure; there is presently doctrinal uncertainty in their military circles. Certainly, they continue to emphasize the necessity of rapidly defeating NATO, should a war in Europe break out. The Soviets recognize, however, that it is becoming increasingly difficult to do this, especially because of the proliferation of ATGMs. Moreover, they are well aware of how these organizational problems compound their task. They realize that it will be difficult to effect deep strategic penetrations against prepared defenses. Although there has been a considerable effort to find a solution to this problem, if anything, the Soviets appear to be moving closer to a strategy of attrition. This is reflected in their growing reliance on artillery and dismounted infantry. There is no evidence that the Soviets have made a conscious decision to fight a war of attrition. Instead, it appears that they are being inexorably drawn in this direction by their efforts to neutralize the growing firepower, both ground-based and air-delivered, available to NATO.

SOVIET TRAINING AND INITIATIVE

Finally, there is the question of whether the Soviet Army has the necessary raw skills. An army that intends to implement a blitzkrieg must have a highly flexible command structure as well as officers and NCOs at every level of the chain of command who are capable of exercising initiative. A blitzkrieg is not a steamroller: success is ultimately a consequence of able commanders making rapid-fire decisions in the "fog of battle" which enable the attacking forces to make the crucial deep strategic penetrations. Should the Soviets attack NATO, there is a chance that the Soviets will open a hole or holes in the NATO front. Naturally, NATO will try to close those holes and seal off any penetrations as quickly as possible. The key question is: can the Soviets exploit such opportunities before NATO, which is well prepared for such an eventuality, shuts the door? In this battle, the crucial determinant will not be how much firepower the Soviets have amassed for the breakthrough; success will be largely the result of highly skilled officers and NCOs making the decisions that will enable the armored spearheads to outrun NATO's defenses. A blitzkrieg depends on split-second timing since opportunity on the battlefield is so fleeting.

There is substantial evidence that Soviet officers and NCOs are sadly lacking in individual initiative and, furthermore, that the Soviet command structure is rigid. Their absence is largely the result of powerful historical forces. Fundamental structural change in Soviet society and the Soviet military would be necessary before there would be any significant increase in flexibility and initiative.

Other deficiencies in the Soviet Army cast doubt on the Soviets' capacity to launch a successful blitzkrieg. For example, the Soviets have significant problems with training. Overreliance on training aids and simulators is a factor often cited, and there is widespread feeling that the training process does not satisfactorily approximate actual combat conditions. Training is of special importance for the Soviets since their army is comprised largely of conscripts who serve a mere two years. Moreover, since new conscripts are trained in actual combat units, more than half of the troops in the 19 Soviet divisions in East Germany are soldiers with less than two years of experience. Any one time, a significant number of those troops is either untrained or partially trained. It should also be noted that Soviet soldiers are deficient in map reading, a skill which is of much importance for an army attempting to launch a blitzkrieg.

Finally, one must consider the capabilities of the non-Soviet divisions, which comprise approximately half of the Pact's 57⅓ standing divisions. Although the Soviet divisions will certainly perform the critical tasks in any offensive, the non-Soviet divisions will have to play a role in the operation. Otherwise, the size of the offensive would have to be scaled down significantly. One cannot say with any degree of certainly that the East Europeans would be militarily incapable of performing their assigned task or that they would not commit themselves politically to supporting a Soviet-led offensive. The Soviets, however, would have to give serious consideration to the reliability of the East Europeans.

CONCLUSION

Even if one were to discount these weaknesses of the Soviet Army, the task of quickly overrunning NATO's defenses would be a very formidable one. A Pact offensive would have to traverse the obstacle-ridden terrain which covers almost all of Germany and restricts the movement of large armored units. Moreover, there is good reason to believe that NATO has the wherewithal to thwart such a offensive. In short, NATO is in relatively good shape at the conventional level.

Two very important caveats, however, are in order. First, NATO must provide for the continuation of ongoing improvements in its force structure. There is no evidence that the Soviet effort to modernize her forces in Central Europe is slowing down. Therefore, NATO must continue to make improvements if it is to maintain the present balance. It is absolutely essential, for example, that deployment of the American Corps in NORTHAG be completed. It is also imperative that the Belgians, the British, and the Dutch continue to modernize and upgrade their conventional forces. More specifically, these forces, especially the British, must increase the firepower of their individual brigades. And, the Allies need to place more emphasis on improving the sustainability of their forces. Fortunately, the conventional wisdom is wrong; NATO presently has the capability to thwart a Soviet attack. Unfortunately, too few people recognize this.

The second caveat concerns warning time and mobilization. Given NATO's present intelligence capabilities and the Pact's force structure, there is little doubt that NATO would detect a full-scale Pact mobilization almost immediately. Obviously, NATO must ensure that it maintains this capability. Problems arise, however, in circumstances where the Pact pursues a limited mobilization which is somewhat difficult to gauge. Although there are real limits as to how much mobilization the Soviets can achieve before tipping their hand, NATO needs to

be especially sensitive to such an eventuality. Moreover, NATO must be prepared to respond to a limited mobilization, even if the evidence of such mobilization is somewhat ambiguous. This leads to the critical problem of mobilization.

This article highlights how important it is that NATO mobilize its forces immediately after the Pact begins it mobilization. A favorable balance of forces in a crisis will be a function of political as well as military factors. The real danger is that NATO's leaders will not agree to mobilize in a crisis for fear that such a move might provoke a Soviet attack. The risk of pushing the Soviets to preempt can be reduced, however, by avoiding certain provocative moves and by clearly communicating one's intentions to the other side. Nevertheless, the risk of provoking a Soviet attack by initiating NATO mobilization can never by completely erased. That risk, however, must be weighed against the far greater danger that if NATO does not mobilize, the capability to defend against a Pact attack will be lost. Moreover, once the Pact achieves a decisive superiority because of NATO's failure to mobilize, it would be not only difficult, but very dangerous for NATO to attempt to redress the balance with a tardy mobilization. Seeing that process set into motion, the Pact would have a very strong incentive to attack before NATO erased its advantage. In short, it is essential that NATO plan for ways to mobilize that do not provoke a Soviet attack, but, at the same time, ensure that NATO does not lose its present capability to defend itself effectively against a Soviet offensive.

PANAMA DRUG CERTIFICATION

Mr. D'AMATO. Mr. President, I rise to share with my colleagues my total astonishment about published reports that indicate that the Bureau of International Narcotics matters at the State Department has issued a preliminary report requesting that Panama be certified as having been "fully cooperative" with the United States drug interdiction efforts.

Even though the report admits that Panama has not been cooperative, the International Narcotics Bureau recommends certification for reasons of other national interests.

Mr. President, whose national interest? Just imagine, Mr. President, how confused the people of Panama must be. One week they read that the United States is indicting General Noriega for drug trafficking. The next week they read that the United States is certifying the Government of Panama, a government under the complete control and domination of General Manuel Noriega, in the national interest.

Mr. President, it becomes even more puzzling when you consider that most of the penalties involved in decertification have already been levied against the Government of Panama by act of the Congress of the United States. We cut off aid to Panama, military and economic.

The Panamanian people have become hostages to the Colombian drug cartel; their leader, General Noriega, is a major operative of that cartel; in vivid and explicit testimony recently, it was stated that General Noriega receives $10 million a month just from one of the Colombian cartels.

What kind of policy do we have that says that notwithstanding a nation's failure to cooperate in the effort against international drug trafficking, that we will certify them because there are compelling national interests?

Mr. President, I have to ask, do we have a clear policy on Panama? And the answer is obviously not. The fact of the matter is that Noriega is a threat to the national interests of the United States of America, to his own people, to the free world.

That preliminary report could have the effect of prolonging his embattled rule; it sends just the wrong signal to the people of Panama, to say that on the one hand they indicted Noriega but they really do not mean it because they will have difficulty extraditing him. On the other hand, we sent this report from the State Department, as preliminary as it may be. What is happening with our State Department? What is happening with the very bureau that is supposed to be monitoring our so-called war on drugs?

The recommendation for Panama in this report must be reversed, Mr. President. The United States policy toward Panama must be unambiguous and clear. We have got to do everything to encourage the removal of Noriega and the establishment of democracy.

There have been questions, Mr. President, that the State Department has been involved in a deal to drop the indictments charging General Noriega with money laundering, with drug running, et cetera. I would submit to you, Mr. President, that dropping the indictment would not only be illogical but it would send the wrong signal, the wrong message. The message sent would say that if you are the leader of a drug cartel, if you are a corrupt general in an army, that all you have to do is rise to power, then agree to step aside, and any criminal charges will be laid aside.

Mr. President, given General Noriega's recent rhetoric we have got to be prepared to use any means necessary to protect the security of the Panama Canal and the thousands of Americans currently living in Panama. Certainly that is the kind of message that the State Department should be sending to Noriega. The United States should be prepared to impose a trade embargo on Panama if the situation deteriorates any further.

Earlier this month we began to uncover an incredible tale at hearings before the Senate Foreign Relations Committee of the depths to which the drug cartel has seized this country. Witness after witness detailed the intricate network of narcotic trafficking between Latin American nations using Panama as a major money center, laundering of billions and billions of dollars.

Again, Panama and its people are now under the control of one of the drug czars, General Noriega; one of the drug cartel's major people who was hired, who was paid for, who was bought, and who has delivered.

I think the evidence is overwhelming; so much so, Mr. President, that two grand juries in Florida, not one, indicted Noriega and many of his associates. The Colombian drug traffickers pay him tens of millions of dollars but they get their money's worth because they launder billions of dollars in the Panamanian banks. Now the State Department wants to certify Panama.

Mr. President, let me ask: What are we worried about?

The people of Panama are overwhelmingly opposed to Noriega's dictatorship. His rule now is literally measured in days.

The bravery of the State Department is underwhelming. It is incredible. While they are ready to certify Panama and Mexico, they recommended decertification of Iran, Afghanistan, Syria, Laos and other countries that receive little or no assistance. The recommendations are meaningless; we have no relationships with these countries.

I would suggest that maybe we save some money and eliminate the Bureau of International Narcotic Matters; the very department that is supposed to be monitoring those drug interdiction agreements and accords and leads the battle on our international effort against drug trafficking. The certification of Panama is inexcusable and illogical Mr. President. What we do is send a message around the world that we are really not committed to the war on drugs. If the Government of Panama can be certified, a government which is ruled by General Noriega, who has been proven to be a drug dealer, who has been indicted, why then should any country undertake that incredible, difficult task and battle to fight the drug lords? Why?

Why should those in Colombia who stand imperiled undertake that battle? Why should those in Bolivia? Why should those in other parts of the world? Certainly not because the United States stands up to its word and means it is going to wage a real war. Is this what our so-called war against drugs is, that we have people in the State Department right now, Assistant Secretaries of State, charged with international narcotics matters, ready to certify obviously undeserving countries for reasons of "other national interests?"

Mr. President, it is an outrage and, I daresay I think the administration would not get one vote in favor of certification of Panama if it were to send that report to the Senate of the United States.

I would hope that that decision would be changed, and changed forthwith. I would hate to think that we would send such a report recommending Panama be certified for "other national interests." It would be a disgrace, and it certainly would underscore that which many think; that the war and the commitment to fight drugs and international drug trafficking, is nothing more than rhetoric.

PLANS TO REINVIGORATE SMALL VEHICLE SPACE LAUNCH PROGRAMS

Mr. THURMOND. Mr. President, The U.S. Air Force and the National Aeronautics and Space Administration [NASA] are preparing to reinvigorate our Nation's capability in the area of small vehicle space launches.

The Scout launch vehicle was the first solid propellant system to place a payload into space. It has been operating successfully for over 25 years and has made 108 domestic and international launches. Between 1967 and 1975 the Scout set a record for NASA launch vehicles of 37 consecutive successes. During the last 20 years the Scout has had a success ratio of 98 percent.

The Scout is manufactured by LTV Missiles & Electronics Group, a fourth of the Missiles Division in Dallas, TX. LTV is now working with an Italian firm to develop an advanced version of the Scout to be known as Scout II.

Mr. President, a recent article on this subject appeared in the December 7, 1988, issue of Aviation Week & Space Technology magazine under the byline of Craig Covault.

I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. To Bolster Its Capability in Small Space Launch Vehicles

(By Craig Covault)

WASHINGTON.—The U.S. Air Force and NASA are preparing to reinvigorate the U.S. capability for small launch vehicles with new procurement and development, just as the nation's medium- and heavy-booster programs are being revived by the Delta-2, Titan-4 and block-2 medium launch vehicle programs.

NASA expects to initiate a competitive procurement in early 1988 for up to 10 new small launch vehicles. The Air Force is evaluating a small vehicle procurement that in the early 1990s could involve either an existing vehicle or new small boosters, possibly derived from tooling prepared earlier for ballistic missiles such as the Polaris.

An additional element in future NASA-USAF work will be the planned joint development by Italy and LTV Aerospace of an Advanced Scout launch vehicle that would use two Ariane strap-on solid rocket boosters to double the Scout's low-orbit payload capability to 1,150 lb.

LTV briefed USAF Space Div. on the project in Mid-November and NASA has also been kept informed.

The USAF Space Test Program has at least 17 small science payloads, which it either has already developed or would like to develop for flight in the next few years. Those science packages could be deployed as either single payloads or combined in instrument payloads on somewhat larger launch vehicles. Other military programs are examining surveillance, relay and other missions that could be performed with spacecraft in the 500-3,000-lb class.

POTENTIAL COMPETITORS.

The American Rocket Co. Amroc vehicle, the LTV Scout, the Space Services, Inc., Conestoga and possibly others are expected to compete for the NASA procurement set for early next year, according to Paul E. Goozh, who manages NASA's Scout operations.

Any USAF procurement would follow later, and any new launchers developed from the effort would be available for commerical launched operations.

NASA expects to issue a request for proposals by March for competitive procurement of up to 10 Scout-class vehicles to support the agency's Small Explorer satellite program. The small explorers are being planned to help fly small space science instruments for astrophysics and other areas that have been hurt by a lack of shuttle launches and funding cutbacks.

The agency is planning to launch two missions per year during 1991-95, with the likelihood that the program would then be continued indefinitely.

In its procurement NASA will request a performance equivalent at least to the standard Scout vehicle, which can place 565 lb. into an 175-mi orbit. It is hoped the winning contractor would be selected by late 1988.

The Scout is currently the only operational booster in this class, and 10 vehicles are in the inventory. Nine of these vehicles are reserved for launch of spacecraft such as the General Electric Astro Div. Transit navigation satellites and Avco target balloons for USAF antisatellite weapons tests.

The remaining vehicle is set for launch of a NASA space science mission in March from Italy's San Marco Pacific Ocean platform off the west coast of Kenya. The Scout has been lauched on 108 missions since 1960, with 94 successful flights overall and only two failures in the last 54 missions extending back to May, 1967.

LTV believes it is in the best position to compete for the NASA Small Explorer program contract since the Scout is the only operational vehicle available, and the NASA procurement specifications are to be modeled after Scout capability.

The LTV/Italian project has been spurred by European commercial microgravity materials processing research in the absence of a shuttle launch capability. The initial phase of the program would be carried out under the West German-Italian Topas project using the standard Scout booster to carry recoverable reentry capasules with materials processing experiments into orbit from the San Marco platform (AW&ST July 13, p. 133). LTV projects a market for about 12 launches in this program, once it is approved by West Germany and Italy.

The joint Italian/LTV advanced Scout program will offer additional payload capability using a proven vehicle, according to Milton Green, director of space programs for LTV's Missiles Div.

Officials at both NASA and USAF said they have no plans for such a vehicle, but would reexamine their launch requirements when the advanced or "Eagle Scout" vehicle becomes available after 1990.

LTV is teamed in the program with Italy's SNIA BPD. Which builds the solid rocket strap-on boosters used by the European Ariane 3 launch vehicle.

By adding two of the Ariane solid rocket boosters to the standard Scout and replacing its third stage with a SNIA BPD "Mage" higher performance motor, the vehicle can be configured into an advanced Scout capable of carrying a 1,150-lb. payload.

LTV is completing negotiations on a memorandum of understanding with NASA regarding the use of Scout tooling and resources in a joint program with Italy for the advanced vehicle.

In addition, LTV has applied for an export license from State Dept. to allow the project to proceed. The export license process has taken several months and is being reviewed in light of recent U.S. export provisions to guard against the transfer of launch vehicle technology to foreign countries, which conceivably could use the technology to build ballistic missiles.

LTV believe final Italian approval of the project will be given after completion of export approval in the U.S.

Italy has informed NASA it is serious about pursuit of the program as a means of increasing European commercial access to space research.

In the Advanced Scout configuration, the Ariane motors would ignite as the vehicle's first stage, followed by ignition at altitude of the Sourt core vehicle.

A standard Scout mission costs $11-12 million, with about $7 million of this counting toward vehicle hardware cost. An Advanced Scout mission would cost about 50-60% more, meaning a doubling of payload capability for significantly less than doubling the vehicle cost, Green said.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Emery, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting a nomination and a treaty which were referred to the appropriate committees.

(The nomination and treaty received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 1 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, an-

nounced that the Speaker has signed the following enrolled bill:

H.R. 3923. An act to make a technical correction to section 8103 of title 46, United States Code.

The enrolled bill was subsequently signed by the Acting President pro tempore [Mr. SANFORD].

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-2602. A communication from the Assistant Secretary of Agriculture (Natural Resources and Environment), transmitting, pursuant to law, the annual report of the Forest Service for fiscal year 1987; to the Committee on Agriculture, Nutrition and Forestry.

EC-2603. A communication from the Acting Secretary of Agriculture, transmitting, pursuant to law, the second quarterly commodity and country allocation table showing current commodity programming plans for food assistance under P.L. 480; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2604. A communication from the First Vice President and Vice Chairman of the Export-Import Bank of the United States, transmitting, pursuant to law, a report on a transaction involving U.S. exports to the People's Republic of China; to the Committee on Banking, Housing, and Urban Affairs.

EC-2605. A communication from the Assistant Vice President of the National Railroad Passenger Corporation (Government and Public Affairs), transmitting, pursuant to law, the annual report on each route on which the Corporation operated rail passenger service during fiscal year 1987, its 1988 Legislative Report, and its 1987 Annual Report; to the Committee on Commerce, Science and Transportation.

EC-2606. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committe on Energy and Natural Resources.

EC-2607. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2608. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2609. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2610. A communication from the Deputy Associate Director for Collection and Disbursement, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, a report on the refund of certain overpayments of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-2611. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the fiscal year 1987 report on the implementation of the Federal Equal Opportunity Recruitment Program; to the Committee on Governmental Affairs.

EC-2612. A communication from the Secretary of Education, transmitting, pursuant to law, a report on program review of 376 projects funded by authority of the Indian Education Act of 1972; to the Select Committee on Indian Affairs.

EC-2613. A communication from the Executive Director of the Committee for the Purchase From the Blind and Other Severely Handicapped, transmitting, pursuant to law, the annual report of the Committee under the Freedom of Information Act for calendar year 1987; to the Committee on the Judiciary.

EC-2614. A communication from the National Treasurer of the Navy Wives Clubs of America, transmitting, pursuant to law, the annual audit report of the Navy Wives Clubs of America, Inc., for the year beginning September 1, 1986, and ending August 31, 1987; to the Committee on the Judiciary.

EC-2615. A communication from the Commissioner of the Immigration and Naturalization Service, Deparment of Justice, transmitting, pursuant to law, a report on the waiver of certain grounds of admissibility in the cases of certain refugees; to the Committee on the Judiciary.

EC-2616. A communication from the Chairman of the National Endowment for the Humanities, transmitting, pursuant to law, the annual report of the Endowment under the Freedom of Information Act for calendar year 1987; to the Committee on the Judiciary.

EC-2617. A communication from the Chairman of the State Justice Institute, transmitting a draft of proposed legislation to authorize appropriations for the purposes of carrying out the activities of the State Justice Institute for fiscal years 1989, 1990, 1991, and 1992, and for other purposes; to the Committee on the Judiciary.

EC-2618. A communication from the Chairman of the National Council on Educational Research, transmitting, pursuant to law, the annual report of the Council for fiscal year 1986; to the Committee on Labor and Human Resources.

EC-2619. A communication from the Executive Director of the Intergovernmental Advisory Council on Education, transmitting, pursuant to law, the annual report of the Council for fiscal year 1986; to the Committee on Labor and Human Resources.

EC-2620. A communication from the Chairman of the National Advisory Council on Indian Education, transmitting, pursuant to law, the annual report of the Council for fiscal year 1986; to the Select Committee on Indian Affairs.

EC-2621. A communication from the Presiding Officer of the Advisory Council on Education Statistics, transmitting, pursuant to law, the annual report of the Council for fiscal year 1986; to the Committee on Labor and Human Resources.

EC-2622. A communication from the Chairman of the National Advisory Council on Women's Educational Programs, transmitting, pursuant to law, the annual report of the Council for fiscal year 1986; to the Committee on Labor and Human Resources.

EC-2623. A communication from the Assistant Secretary of Education (Vocational and Adult Education), transmitting, pursuant to law, the Annual Report of the National Center for Research in Vocational Education Advisory Committee for Fiscal Year 1986; to the Committee on Labor and Human Resources.

EC-2624. A communication from the Chairman, National Board Fund for the Improvement of Postsecondary Education, transmitting, pursuant to law, the Annual Report of the National Board of the Fund for the Improvement of Postsecondary Education for Fiscal Year 1986; to the Committee on Labor and Human Resources.

EC-2625. A communication from the Chairman, National Advisory Council on Adult Education, transmitting, pursuant to law, the Annual Report of the National Advisory Council on Adult Education; to the Committee on Labor and Human Resources.

EC-2626. A communication from the Chairman, National Advisory and Coordinating Council on Bilingual Education, transmitting, pursuant to law, the 11th Annual Report of the National Advisory and Coordinating Council on Bilingual Education; to the Committee on Labor and Human Resources.

EC-2627. A communication from the Chairman, National Council on Vocational Education, transmitting, pursuant to law the 1986 Annual Report of the National Council on Vocational Education; to the Committee on Labor and Human Resources.

EC-2628. A communication from the Chairman, National Advisory Board for International Education Programs, transmitting, pursuant to law, the Annual Report of the National Advisory Board for International Education Programs for Fiscal Year 1986; to the Committee on Labor and Human Resources.

EC-2629. A communication from the Chairman, National Advisory Committee on Accreditation and Institutional Eligibility, transmitting, pursuant to law, the Annual Report of the National Advisory Committee on Accreditation and Institutional Eligibility for Fiscal Year 1986; to the Committee on Labor and Human Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-407. A resolution adopted by the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Finance.

"RESOLUTIONS MEMORIALIZING THE PRESIDENT OF THE UNITED STATES AND THE CONGRESS TO ENACT LEGISLATION MODIFYING THE SOCIAL SECURITY SYSTEM TO ALLOW FOR HOME-CARE OF SEVERELY HANDICAPPED CHILDREN

"Whereas Federal supplemental security income is denied to those who would care for disabled children at home; and

"Whereas The principle of care at home for children with serious disabilities or chronic illness is a morally correct and efficient alternative to institutional care for handicapped children; Therefore be it

"*Resolved* That the Massachusetts House of Representatives hereby urges, the President of the United States and the Congress to enact legislation modifying the Social Security System to all for home-care or severely handicapped children; and be it further

"*Resolved* That copies of these resolutions be forwarded by the Clerk of the House of Representatives to the President of the United States, the Presiding Officer of each branch of Congress and to the members thereof from this Commonwealth.

POM-408. A resolution adopted by the Senate of the State of West Virginia; to the Committee on Foreign Relations:

"SENATE RESOLUTION No. 13

"Whereas the occupations of these sovereign nations by the Russians were termed by Winston Churchill as "acts of aggression in shameful collusion with Hitler" and since Churchill said, "I know President Roosevelt holds this view as strongly as I do"; and

"Whereas during World War II, the peoples of Estonia, Lativa and Lithuania were subjected to purges when invaded by the Russians, then by the Nazis and again by the Russians. "Thus," Churchill said, "the deadly comb ran back and forth, and back again, through Estonia, Latvia and Lithuania"; and

"Whereas the basic human rights of these subjugated people continue to be denied; and

"Whereas General Secretary of the Soviet Communist Party, Mikhail S. Gorbachev's policy of "Glasnost" has supposedly ushered in the new Soviet era of moral and ethical conduct: Therefore, be it

"*Resolved by the Senate,* That the Senate of West Virginia requests that The Soviet Union respect the sovereignty of Estonia, Latvia and Lithuania and free these people; and be it

"*Further resolved,* That the Senate of West Virginia requests an accounting of all the people of the Baltic States purged by Soviet interests as well as the tens of thousands of people herded into railroad cars and shipped to Siberia and never returned to their homelands or their families; and, be it

"*Further resolved,* That duly authenticated copies of this resolution, signed by the President of the Senate, and attested by the Clerk be transmitted to President Ronald W. Reagan, to the leadership of the Congress of the United States, to the Congressional Delegation from this State, to Mrs. Pia Porter and to General Secretary Mikhail S. Gorbachev."

POM-409. A resolution adopted by the Statewide Committees Opposing Regional Plan Areas requesting a redress of grievances against the Advisory Commission on Intergovernmental Relations; to the Committee on Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FORD, from the Committee on Rules and Administration, without amendment:

S. Res. 381. An original resolution authorizing expenditures by committees of the Senate (Rept. No. 100-287).

By Mr. JOHNSTON, from the Committee on Energy and Natural Resources, without amendment and with a preamble:

S.J. Res. 216. Joint resolution approving the location of the Black Revolutionary War Patriots Memorial (Rept. No. 100-288).

S.J. Res. 225. Joint resolution approving the location of the Korean War Memorial (Rept. No. 100-289).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. ARMSTRONG:

S. 2078. A bill to amend the Internal Revenue Code of 1986 to require a majority of employees to approve the establishment of an employee stock ownership plan, and for other purposes; to the Committee on Finance.

By Mr. BUMPERS:

S. 2079. A bill to amend the Internal Revenue Code of 1986 to provide a mechanism for taxpayers to designate any portion of any overpayment of income tax, and to contribute others amounts, for payment to the National Organ Transplant Trust Fund; to the Committee on Finance.

By Mr. HATCH (for himself and Mr. BOREN):

S. 2080. A bill to establish an Arms Control Competitive and Economic Adjustment Commission; to provide for the functions, authorities, and obligations thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. HATCH:

S.J. Res. 262. Joint resolution to designate the month of March, 1988, as "Women's History Month."; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FORD:

S. Res. 381. An original resolution authorizing expenditures by committees of the Senate; from the Committee on Rules and Administration; placed on the calendar.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ARMSTRONG:

S. 2078. A bill to amend the Internal Revenue Code of 1986 to require a majority of employees to approve the establishment of an employee stock ownership plan, and for other purposes; to the Committee on Finance.

EMPLOYEE APPROVAL OF ESOP'S

● Mr. ARMSTRONG. Mr. President, self-determination, as a method of decisionmaking in a political or practical sense is an honored and respected tradition in this Nation. Votes, polls, and opinion surveys are some of the ways American's satisfy their need to know what their fellow citizens are thinking. I believe there may be a need to extend the principle of self-determination to some facets of employee benefit decisions—specifically the decision to initiate an employee stock ownership plan [ESOP].

ESOP's were conceived as a means to provide employees with a greater ability to become shareholders in the organizations they work for and both company and employee would benefit. I have come to learn that beyond this threshold there are questions to be answered such as whether a majority of those affected approve of the conditions under which the ESOP is to be adopted?

In Colorado and other States there are cases where some employees are attempting to purchase a controlling interest in the corporation over the objection of other employee groups. The formation of an ESOP is critical to the outcome of such efforts. It is important to realize that the ESOP might be formed as an addition to existing pension rules, in lieu of them or some combination thereof. In some cases the existing pension plan is terminated and excess assets might be used to fund the ESOP. The question for the employees can be quite significant as it applies to their retirement security.

These employees are asking legitimate questions: Is this a good deal? What will the stock be worth when I retire? Would I be better off with a defined benefit plan upon retirement age?

Questions like these are ones I have been asked to consider by the General Assembly of Colorado when they passed the following resolution:

Be It Resolved by the House of Representatives of the Fifty-sixth General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the General Assembly, support the application of the principle of "One Person One Vote" to Employee Stock Ownership Plans which would give employees of a corporation the right to cast their votes on issues pertaining to an Employee Stock Ownership Plan.

(2) That we, the members of the General Assembly, urge the Congress of the United States to enact legislation which would require all Employee Stock Ownership Plans to be approved by a majority vote of all employees of a corporation in order to become effective.

Be It Further Resolved, That copies of this Resolution be transmitted to members of the Colorado Congressional Delegation, to members of the Labor and Human Resources Committee and the Banking Committee of the United States Senate, and to members of the Banking Committee and the Committee on Education and Labor of the United States House of Representatives, and to the management of United Airlines.

The Employee Benefit Research Institute in a recent publication had this to say about the ESOP's:

ESOP's can provide employees with substantial financial benefits through stock ownership while providing companies with attractive tax advantages and a powerful financial tool. By making employees part-owners of the business, companies may also

realize productivity improvements, since workers benefit directly from corporate profitability and are thus working in their own interest * * * [but] there are also risks that should be considered. Because the ESOP is invested primarily in employer securities, the success of the ESOP depends on the long-time performance of the company and its stock.

Authorities, therefore, recognize the risks involved even when the plans are established with the employees best interests in mind. But there is another disturbing development occurring with regard to the establishment of ESOP's and some believe that in these cases employees are just pawns in a larger struggle—the struggle over control of the corporation.

The use of ESOP's in contests for control of a corporation was the subject of hearings in June 1987 by the Senate Committee on Banking, Housing and Urban Affairs. What became clear is this. ESOP's are frequently used in corporate takeovers by any, and every party involved.

ESOP's can be used by existing management and serve their needs by establishing a friendly market for large blocks of stock, providing a source of lower rate financing to defend against takeovers, providing tax deductions, and they can be substituted for other retirement plans.

ESOP's can be used by some or all employees to take the company private in good times and in bad. ESOP's can be used by outside bidders to assist their cause when tender offers are made for shares held by the ESOP.

Unintended though it may be, ESOP's have become a factor in corporate finance and the implication for those employees, for whom the ESOP was established, is not clear. In one instance an outside bidder favored by management was granted what is called a "lock-up" that prevented employee shareholders from entertaining additional or even higher bids from other sources. This example illustrates what little practical influence employees may have when it comes to major decisions with regard to their own shares. It also appears that employee shareholders may be denied their rights as shareholders if the ownership is within an ESOP, rights that would not be denied if they owned those shares directly.

The hearing held by the Senate Banking Committee raised troubling questions regarding the actual value to the employee, for whom the ESOP is established. The benefits can range from very good to very questionable and the committee's attention then focused on what mechanisms exist to provide employees adequate information and influence over the ESOP. The answers were not very reassuring.

The following excerpts from Mr. Randy Barber of the Center for Economic Organizing at the June 26, 1987, hearing on ESOP's provide some indication of what voting rights exist for employee-shareholders, the role of trustees and the board of directors regarding essential decisionmaking activities:

The Tax Code requires a resolution from a company's board of directors to establish an ESOP, and by definition, only incumbent directors can grant life to an ESOP.

Thus, management and the existing owners enjoy a sort of legislated noblesse oblige with respect to the terms under which they bestow ownership on their employees, even as they use taxpayer concessions to do so.

Although there are requirements that participants be given the right to vote the stock in their accounts on some issues under some circumstances, management still has broad rights to severely limit the authority of participants in determining the future of the company.

For instance, all unallocated stock may be voted by a trustee selected by management. In a leveraged ESOP, this could include the majority of stock in the ESOP for number of years.

A trustee, following the Department of Labor's guidance may override participant votes, and in most cases, will vote unallocated shares in the ESOP as he or she deems appropriate.

The Honorable Russell B. Long, a former colleague and noted authority on ESOP's, provided the Senate Banking Committee with a request to legislate on this matter. Senator Long cited a troubling legal decision that suggests that an ESOP trustee, in responding to a tender offer, may not be permitted to rely on employees' directions. That case is *Danaker* v. *Chicago Pneumatic Tool Co.*, 635 F. Supp. 246 (S.D.N.Y.) and it involved the duty of the fiduciary to accept the highest offer for shares. In his testimony Senator Long objected to this fiduciary standard presuming that employees would favor management's intent to reject such a tender offer. That may well have been the employee position, but unless there is a direct employee-shareholder vote on the matter, free of management pressures, then I am not sure the trustee can really know the wishes of those he serves.

This addresses but one aspect of a larger question of just what is the appropriate role of the employee-shareholder at the time of the creation of an ESOP, during a tender offer and when employees themselves may wish to take a company private.

Mr. President, these statements and the statements of others call attention to the need for Congress to study this matter and determine if the laws and rules in place need to be improved so that existing and potential employee-shareholders can have a more practical role in determining if proposals related to ESOP's are, in fact, in their best interest. This, it seems to me, can only be done on a case-by-case basis which then requires the need to establish a method of effective decisionmaking for the employees.

A majority vote standard to establish an ESOP is one such method of self-determination that may be appropriate and is the method suggested by this legislation. I propose this to my colleagues not as the definitive answer but as a starting point from which more thorough deliberations may take place.

For existing ESOP's there may be other voting methods that might add a degree of fairness to those affected. Proportional voting is a method that would extend the outcome of a majority vote of shares allocated to individuals to those shares that are unallocated and voted by the trustee.

In conclusion, I believe that an effective voting method is the missing essential ingredient of ESOP's and I urge my colleagues to consider the equity that can be achieved by adopting this democratic method of decisionmaking. It will insure that all persistent information is available to employees prior to a vote on the initiation of an ESOP and that ESOP employee-shareholders do not lose rights that are otherwise available to direct shareholders of the company.

This legislation I am introducing amends the Internal Revenue Code to establish that before an ESOP is established that the following must occur:

First, notice must be provided to the employees by the employer explaining all material facts concerning the plan including (a) whether assets will be transferred to the plan from any other plan, and whether the plan will replace such other plan, (b) the terms of the plan, and (c) the terms of the plan from which the assets are being transferred, if any.

Second, a majority of the employees of the employer establishing the plan must approve of the plan by secret ballot within a reasonable time after notification to employees.

Third, the Secretary of the Treasury may deny qualification to an ESOP where the voting rights of the employee-shareholders or beneficiaries are not substantially similar to the voting rights of shareholders who hold the same class of securities directly.●

By Mr. BUMPERS:

S. 2079. A bill to amend the Internal Revenue Code of 1986 to provide a mechanism for taxpayers to designate any portion of any overpayment of income, and to contribute other amounts, for payment to the National Organ Transplant Trust Fund: to the Committee on Finance.

ORGAN TRANSPLANT CONTRIBUTIONS ACT

Mr. BUMPERS. Mr. President, today I am introducing a bill which I first offered in the 98th Congress. This bill is urgently needed by thousands of Americans in crisis—men, women, and children who have been

stricken by a debilitating illness and for whom the only available recourse is organ transplant surgery. Though American surgeons are becoming much more adept at performing these complex, often life-saving operations, many Americans cannot pay for this surgery and, therefore, cannot benefit from our rapidly improving technology. The transplant fund established by this legislation will bring the promise of transplant technology to patients who would otherwise be without hope.

I became very interested in the financing of organ transplants after receiving numerous calls from constituents who desperately needed help to pay for organ transplant surgery. These constituents' lives would have been saved by organ transplant surgery, but that life-saving treatment was out of their reach because they had no health insurance; their health insurance did not cover organ transplants; or they had no private resources. I know that every one of my colleagues have received similar pleas for help.

Only one thing keeps these people from having transplant surgery—money. Their only hope is to turn to private charitable sources, and they begin by calling their friends, elected representatives, local paper, church, and other community organizations. Some are successful in raising funds in this way, but many more are not. This is an absolutely intolerable and unacceptable situation for the United States. How can we profess to value the life of every person and then allow people to die because they are not rich enough to live? Nobody's life should depend on success of bake sales.

I believe most Americans would appreciate the opportunity to help such desperately ill persons. My bill would establish a national organ transplant trust fund in the Treasury which would be funded by voluntary contributions made through a checkoff system on the income tax form. I know that makes the IRS cringe, but their cringing is infinitely less important than the saving of lives. Donations made to the fund would represent outright contributions rather than a diversion of normal tax revenues.

The funding provision of this bill is not unique. As I speak here, there are people in the State of Massachusetts who are living proof that a voluntarily funded system such as the one I am proposing can be effective. The Massachusetts program employs a checkoff on the State income tax form, much as my proposed organ transplant trust fund will do, and has already paid out over $70,000 for expenses associated with organ transplants.

Reimbursement is wisely limited to those patients whose transplant surgery is certified as medically necessary and performed at qualified organ transplantation centers with proven track records. And while I am talking about what some of the States are doing, Mr. President, I would like to mention that optional checkoff boxes have become very popular during the past 5 or 10 years. As of 1984, 34 States, or 85 percent of the 40 States which collect income taxes, had added checkoff options to their States' forms. These checkoff programs have raised millions of dollars for worthy causes, ranging from wildlife protection to the U.S. Olympic team, and this has been done without significant difficulty to their respective revenue collection agencies.

In short, optional checkoffs have been widely accepted by Americans from all regions of our country and have proven a viable method of raising funds for worthwhile causes. In my judgment the costs of emergency organ transplantation are as worthy of public attention as the preparation of our Olympic athletes or the preservation of our woodlands.

If we can bring this kind of relief to troubled families throughout the United States without costing the Treasury a penny, then who can be against it?

Although in recent years the extent of public and private insurance coverage of organ transplant medical costs has been steadily increased, many Americans still fall between the cracks. Under the Medicaid Program, 10 States still do not pay for liver transplants, 18 States still do not pay for heart transplants, and 35 States still do not pay for heart-lung transplants. And the recent decision by the State of Oregon to limit Medicaid coverage for organ transplants, in favor of prenatal and neonatal care makes clear that there will continue to be debate on Medicaid coverage issues.

On the private side, companies representing 71 percent of the Nation's group health insurance businesses will pay for kidney transplants, but only 37 percent are willing to pay for pancreas transplants. And then there are thousands of Americans who do not qualify for public assistance such as Medicaid in meeting medical costs yet cannot afford to buy medical insurance, let alone meet the costs of a $35,000 kidney transplant or a $250,000 liver transplant.

These people deserve our help. It is unthinkable that, in a civilized society, one with a value system such as ours, one that values the worth of every human being and says that each one of us counts, such unfortunate patients are allowed to die for lack of money, especially when there is a simple way to match voluntary contributions with needy people.

Mr. President, during the last Congress we passed a law that required hospitals to request the families of deceased patients to consider donating organs of their loved ones so that others might live; in effect, all Americans are being asked to join the potential donor pool. This is a positive step. Once this program is firmly in place we hope no one will die for want of an organ. It is ironic to me, however, that we can ask all Americans to give of themselves to enable another to survive and yet not make a determined and aggressive attempt to ensure that funds are available to take real advantage of that increased organ availability.

The people this bill will help are those who are critically ill, and are thus in no position to withstand a drawn-out bureaucratic process. The Secretary of Health and Human Services would be given authority to establish guidelines for patient selection, and the decisions about patient eligibility would be made fairly and quickly.

Mr. President, my proposal will not cost the Treasury a cent. It will not divert any tax dollars from other programs. It will not increase the national deficit, and it will not take anything from anyone who does not want to give. It will save many lives at a fraction of the cost of one M-X missile. What the organ transplant contributions act will do is save lives and alleviate suffering among patients who need our help. I hope Members will join in cosponsoring this bill.

I intend to have studies done by Health and Human Services and possibly by the General Accounting Office, because it is my belief that you are not talking about a significant amount of money; I would guess between $30 million and $50 million a year. It is my firm conviction that the American people would contribute much more than that on a voluntary checkoff system and then not only would we feel good about honoring our values, not only will our phones quit ringing from people who are desperately in need of $150,000 for some kind of a transplant, but as we move into this program and these surgeries become more commonplace, ultimately insurance companies will pay for them, Medicaid and Medicare will pay for them. But until that happy day, Mr. President, it is a shame of this Nation that anybody that has an organ available that they need must die because they cannot come up with the money.

I ask unanimous consent, Mr. President, the full text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2079

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Organ Transplant Contributions Act of 1988".

SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS AND INTENT.

(a) FINDINGS.—The Congress finds that—

(1) there exists an urgent national health problem in the area of human organ transplantation, and that organ transplant procedures and immunosuppressive therapy can mean the difference between life and death for some patients;

(2) advances in medical science have made organ transplantation an accepted medical treatment in an increasing number of cases, but that the costs associated with such treatment remain beyond the reach of many Americans;

(3) needy patients should neither be allowed to die nor forced into poverty due to lack of adequate funds to pay for an organ transplant, and that the Federal Government should to assist those citizens who are in need of organ transplant surgery and immunosuppressive therapy;

(4) as of this year, all persons in the United States are to be asked to join the national pool of organ donors and therefore should have an equal opportunity to benefit from expanded availability of organs for transplantation;

(5) certain organ transplant procedures are becoming commonly accepted forms of treatment, but that other procedures remain experimental and that further research in these and other methods should be encouraged with a view towards expanding the horizons of medical knowledge and improving the quality of health care; and

(6) a number of States have established programs to assist citizens in obtaining needed transplant procedures, and that a number of charitable organizations are available to assist such persons, but there remains a substantial unmet need in this area.

(b) CONGRESSIONAL INTENT.—It is the intent of Congress that—

(1) it is necessary, as a result of the findings in subsection (a), to establish a National Organ Transplant Fund in the Treasury of the United States which shall be used to assist those Americans who are in need of transplant surgery and immunosuppressive therapy and who have insufficient means of paying for such treatment;

(2) the National Organ Transplant Trust Fund be administered under regulations promulgated by the Secretary of Health and Human Services and be funded solely by voluntary taxpayer contributions under a taxpayer checkoff system to be established by this Act; and

(3) the National Organ Transplant Trust Fund be administered by the Secretary of Health and Human Services fairly and expeditiously, taking into account the medical condition of the applicant and the financial resources of the applicant.

SEC. 3. DESIGNATION OF OVERPAYMENTS AND CONTRIBUTIONS FOR NATIONAL ORGAN TRANSPLANT TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 (relating to returns and records) is amended by adding at the end thereof the following new part:

"PART IX—DESIGNATION OF OVERPAYMENTS AND CONTRIBUTIONS FOR NATIONAL ORGAN TRANSPLANT TRUST FUND

"Sec. 6097. Amounts for National Organ Transplant Trust Fund.

"SEC. 6097. AMOUNTS FOR NATIONAL ORGAN TRANSPLANT TRUST FUND.

"(a) IN GENERAL.—With respect to each taxpayer's return for the taxable year of the tax imposed by chapter 1, such taxpayer may designate that—

"(1) any portion of any overpayment of such tax for such taxable year, and

"(2) any cash contribution which the taxpayer includes with such return,

be paid over to the National Organ Transplant Trust Fund.

"(b) JOINT RETURNS.—In the case of a joint return showing an overpayment, each spouse may designate any portion of such overpayment under subsection (a)(1).

"(c) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year only at the time of filing the return of the tax imposed by chapter 1 for such taxable year. Such designation shall be made on the first page of the return.

"(d) OVERPAYMENTS TREATED AS REFUNDED.—For purposes of this title, any overpayment of tax designated under subsection (a) shall be treated as being refunded to the taxpayer as of the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed.".

(b) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 61 of such Code is amended by adding at the end thereof the following new item:

"PART IX—DESIGNATION OF OVERPAYMENTS AND CONTRIBUTIONS FOR NATIONAL ORGAN TRANSPLANT TRUST FUND.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act.

SEC. 4. ESTABLISHMENT OF NATIONAL ORGAN TRANSPLANT TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end thereof the following new section:

"SEC. 9511. NATIONAL ORGAN TRANSPLANT TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'National Organ Transplant Trust Fund', consisting of such amounts as may be appropriated or credited to the National Organ Transplant Trust Fund as provided in this section or section 9602(b).

"(b) TRANSFER TO NATIONAL ORGAN TRANSPLANT TRUST FUND OF AMOUNTS DESIGNATED.—There is hereby appropriated to the National Organ Transplant Trust Fund amounts equivalent to the amounts designated under section 6097 and received in the Treasury.

"(c) EXPENDITURES FROM TRUST FUND.—

"(1) IN GENERAL.—The Secretary shall pay, on the order of the Secretary of Health and Human Services, amounts on behalf of eligible individuals to health care facilities specified by the Secretary of Health and Human Services.

"(2) ADMINISTRATIVE EXPENSES.—Amounts in the National Organ Transplant Fund shall be available to pay the administrative expenses of the Department of the Treasury directly allocable to—

"(A) modifying the individual income tax return forms to carry out section 6097,

"(B) carrying out this chapter with respect to such Fund, and

"(C) processing amounts received under section 6097 and transferring such amounts to such Fund.".

(b) CLERICAL AMENDMENT.—The table of sections for such subchapter A is amended by adding at the end thereof the following new item:

"Sec. 9511. National Organ Transplant Trust Fund.".

SEC. 4. ORGAN TRANSPLANTATION PAYMENTS PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall authorize payments by the Secretary of the Treasury from the National Organ Transplant Trust Fund on behalf of eligible individuals.

(2) AUTHORIZATION OF PAYMENTS.—Payments under paragraph (1) shall be available—

(A) to pay the costs of organ transplantation procedures and immunosuppressive drugs for such individuals, and

(B) to pay the costs of notifying potential eligible individuals of the availability of the Trust Fund and to solicit contributions to the Trust Fund, except that payments under this subparagraph for any fiscal year shall not exceed 5 percent of the total payments from the Trust Fund for such fiscal year.

(b) REGULATIONS.—The Secretary of Health and Human Services shall prescribe by regulations the procedures which shall be eligible for payment, the maximum amounts payable for each such procedure, and the terms and conditions under which payments will be made on behalf of an eligible individual under this section. Such regulations shall specify, at a minimum—

(1) procedures, terms, and conditions for the verification of the need for organ transplantation by an eligible individual;

(2) criteria for the determination of which individuals are eligible individuals under this section and procedures to verify the eligibility of such individuals;

(3) the types of organ transplantation procedures for which payments may be made under this section; and

(4) procedures for certification of health care facilities as transplant centers authorized to perform transplant procedures on persons eligible for assistance under this Act.

(c) DEFINITIONS.—For purposes of this Act, the term—

(1) "eligible individual" means an individual who, as determined by the Secretary of Health and Human Services by regulation, has a medical condition for which a transplant procedure is reasonably medically necessary, and who has no sufficient source of payment for an organ transplantation procedure, including sources of payment such as—

(A) the program established by titles XVIII of the Social Security Act;

(B) a State plan under title XIX of such Act; and

(C) any insurance coverage applicable to such individual;

(2) "organ" means the eye, kidney, liver, pancreas, heart, lung, bone marrow, or any other organ or tissue included by the Secretary of Health and Human Services by regulation;

(3) "transplant center" means a health care facility which has been certified by the Secretary of Health and Human Services as qualified to perform specified types of transplant procedures; and

(4) "transplant procedure" means the surgical procedures necessary to accomplish the organ transplant, as well as appropriate preoperative and postoperative treatments, including immunosuppressive drugs, approved under the Federal Food, Drug, and Cosmetic Act, furnished by a transplant center, as defined herein, in connection with a transplant procedure, but only if furnished not later than the end of the thirty-sixth month after the month in which the individual receives the transplant for which the drugs are furnished.

SEC. 5. RIGHTS TO SUE OR BENEFIT ENTITLEMENT NOT CREATED BY ACT.

This Act shall not be construed to create any private right to sue by or on behalf of any eligible individual, and shall not be construed to create an entitlement on behalf of any individual.

By Mr. HATCH (for himself and Mr. BOREN):

S. 2080. A bill to establish an Arms Control Competition and Economic Adjustment Commission; to provide for the functions, authorities, and obligations thereof; and for other purposes; to the Committee on the Judiciary.

ARMS CONTROL COMPETITIVE AND ECONOMIC ADJUSTMENT COMMISSION ACT

Mr. HATCH. Mr. President, I rise to introduce the Arms Control Competitive and Economic Adjustment Act of 1988. I am pleased that the distinguished senior Senator from Oklahoma, Senator BOREN, has agreed to join me in offering this important legislation.

TREATIES NEED WORKABLE VERIFICATION PROCEDURES

Mr. President, the INF Treaty, as we all know well, is a small but first step toward a more lasting peace. The United States-Soviet withdrawal from nuclear brinkmanship at the intermediate range level, we all hope, will be matched by a strategic arms reduction.

The current INF Treaty, and the strategic treaties that may follow, will require workable verification procedures on both sides as part of the compliance regime. Under the INF Treaty, inspectors were placed in each country, one of the major breakthroughs in our long history of negotiation with the Soviets. I am certain that future treaties will replicate this accomplishment. As effective as national technical means [NTM] are, there are some validations that must be done on the spot.

MANY STATES AFFECTED BY THE PRESENCE OF SOVIET INSPECTORS

Even the most cursory review of the treaty, its memoranda of understanding and related protocols, reveals a widespread presence of Soviet inspectors. The MOU designates nine States with installations or private facilities eligible for permanent or spot inspections by accredited Soviet representatives: Maryland, Colorado, Alabama, Oklahoma, Florida, California, Arizona, Texas, and finally, Utah—the only State where a Soviet inspection team will be in permanent residence.

In addition, there are named in the MOU several R&D sites where certain types of related work is or was done and which could be made future inspection sites, these include five States, one territory, and one island nation in free association with the United States: Alaska, New Mexico, Hawaii, Massachusetts, Virginia, the territory of Wake Island, and Kwajalein Island in the Marshals.

In all, 19 actual and potential sites are identified. They include such Federal installations as Pueblo Depot, Redstone Arsenal, Fort Sill, the eastern and western test ranges, and Davis Monthan Air Force Base. And also include such private defense industrial organizations as Martin-Marietta, General Dynamics, and, in my State of Utah, the Hercules plant at Magna where a Soviet team would permanently reside, as I mentioned earlier.

IMPACT OF SOVIET PRESENCE

Mr. President, I have been very concerned about Soviet presence from the earliest indications that the INF Treaty was nearing completion. I have met with the Secretary of Defense, as well as key negotiators and other State, Defense, and Arms Control and Disarmament Agency staff repeatedly over the past 3 months to express this concern.

Let me say for the record, that DOD in particular has responded magnificently; Frank Carlucci has from the outset accepted responsibility for the security of the American defense industrial base. He has taken steps to identify threats to it under the treaty. By consequence, Mr. President, I can stand before this body today and say without reservation that Utah may very well be the most secure place in the world to do business. The threat of potential espionage is fully known, controlled, and the potential targets of such activities "hardened" against exploitation.

My concern extends well beyond my own State, and into the 18 other regions and localities where Soviets could be allowed to visit under the INF Treaty. Again, recognizing that under a future strategic arms treaty, a Soviet presence may become more extensive still, as well as more permanent. And I remind this body, and the American people, Mr. President, of my concern not simply for our defense industries, but for the entire infrastructure of our country, this is what makes for a strong defense—and it embraces the civil governments and facilities that support defense, as well as the people who invest in and earn their livelihoods in this sector.

Who is at risk, and what is the risk if, as I have stated, we appear to have exercised reasonable and prudent precautions, The threat is not necessarily found in the potential for espionage by Soviet inspectors. Rather, a threat to these institutions is one of perceptions.

The perception of a threat posed by a Soviet presence gives rise to the potential for discrimination against firms, installations, persons, and even governments and localities.

WHY DO WE NEED THE ARMS CONTROL COMPETITIVE AND ECONOMIC ADJUSTMENT COMMISSION ACT?

Mr. President, this bill is a confidence-building, as well as preventive measure. It would reduce the prospects of turbulence in the critically important aerospace and related defense subsectors of missiles and missile components. And, it precludes the withholding of contract awards by the Federal Government to otherwise sufficiently competitive and competent persons because of the presence of Soviet inspectors. What I fear, Mr. President, is a DOD contracting officer or other official who resists a contract award because he or she feels that the work could be exploited by a foreign agent.

The aerospace industry is the immediate target under the INF and future treaties. Here we have a great investment—in my State, Hercules has placed almost $250 million into a state-of-the-art plant for the production of large rocket engines. I know that General Dynamics' facilities in San Diego represent an equally great investment. In the past 5 years, according to the Department of Commerce, missile production has increased by 65 percent, with 88 percent of its production going for defense purposes.

Job creation in this subsector has doubled from 60,000 to over 112,000 employees from 1980–85. Overall, defense consumes over 84 percent of all jobs in the missiles and space vehicles' arena.

Even a relocation of facilities offers no answer; rather, it adds to the turbulence since, at some future moment in time, that facility, too, may become a target of the threat from which it originally fled.

To place this sector at risk is to counteract the incentives for such industries to make ever greater investment in plant and equipment, so as to be able to compete not only in the U.S. defense and space markets, but on a global plane as well, where modernized production technologies make the difference.

The legislation being introduced today creates a mechanism to monitor and avert serious economic injuries related to treaty verification procedures. The bill establishes a five-member Commission with the interests of affected parties represented on it. The President, with the advice and consent of the Senate, would appoint one member from an affected State or local government, another from an af-

fected industry, and three others, no more than two of which would be from the Federal Government.

Three broad functions are entrusted to the Commission. First, the Commission would hear claims by persons claiming to have experienced a competitive disadvantage in bidding for Federal Government awards because of a treaty's verification provisions. Second, the Commission would also hear claims from persons suffering a serious economic injury, such as a loss of contract or trade secret. Finally, the Commission could initiate its own investigations, holding informal hearings on issues generally affecting adverse competitive or economic circumstances occasioned by treaty verification procedures.

In the first two instances, the Commission would investigate and adjudicate claims, making monetary awards. The Commission would also make appropriate recommendations based upon its investigations, and in all cases, report on its activities annually to the President.

The Commission would issue written decisions. All Commission determinations would be subject to judicial review in the U.S. Courts of Appeals for the Federal Circuit. The standards by which the Commission would operate are generally those of the Administrative Procedure Act.

I have attached the full text of the bill, outlining in great detail these and other procedures covered by the legislation, and I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2080

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE

This Act may be cited as the "Arms Control Competitive and Economic Adjustment Commission Act of 1988".

SEC. 2. PURPOSES

The Congress finds that establishment of an Arms Control Competitive and Economic Adjustment Commission is necessary in order to—

(1) monitor the economic effects on State and local governments, businesses, organizations, and individuals of the verification provisions of arms control agreements;

(2) minimize the competitive disadvantages resulting from the selection of certain localities, businesses, and facilities for verification pursuant to arms control agreements;

(3) ensure that the verification provisions of arms control agreements do not unduly restrict competition for government contracts and subcontracts and thereby deprive the Nation of the benefits of such competition;

(4) compensate persons suffering serious economic injury, including the loss of government contracts or the loss of the opportunity to compete for such contracts, as a result of the verification provisions of arms control agreements;

(5) assist State and local governments, businesses, organizations, and individuals affected by the verification provisions of arms control agreements in making necessary economic adjustments;

(6) avoid litigation concerning whether the placement of foreign personnel or equipment on or near private property pursuant to the verification provisions of an arms control agreement results in the taking of that property without just compensation; and

(7) advise and made recommendations to the President and Congress regarding the economic impacts of the verification provisions of existing and proposed arms control agreements and the measures that could be taken to minimize or to compensate for such impacts.

SEC. 3. DEFINITIONS.

As used in this Act, the term—

(1) "agency" means each authority of the Government of the United States, whether or not subject to review by another agency, but does not include—

(A) the Congress;

(B) the courts of the United States;

(C) the governments of the territories or possessions of the United States;

(D) the government of the District of Columbia;

(E) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them;

(F) courts martial and military commissions; and

(G) military authority exercised in the field in time of war or in occupied territory;

(2) "arms control agreement" means any treaty between the United States and any other nation or nations relating to the monitoring, control, or reduction of armaments or the components thereof, any protocol, memorandum of understanding, or other agreement related to such treaty, or any other bilateral or multilateral agreement on the part of the United States that relates to the monitoring, control or reduction or armaments or the components thereof;

(3) "competitive disadvantage in the actual or proposed procurement of goods or services by the United States" means any impairment of the ability of a person to submit a bid, offer a proposal, or compete for a government contract, or to be awarded such a contract;

(4) "government contract" means a mutually binding legal realtionship obligating the United States government to an expenditure of funds, and that, except as otherwise authorized, is in writing. In addition to bilateral instruments, government contracts include (but are not limited to) awards and notices of awards; job orders or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. The term "government contract" shall include a subcontract as defined herein;

(5) "government contractor" means the total contractor organization that is bound by the obligations of a government contract as described herein, or a separate entity of the total contractor organization, such as an affiliate, division, or plant;

(6) "person" means an individual, partnership, corporation, association, governmental entity, or public or private organization other than an agency;

(7) "subcontract" means any contract entered into by a subcontractor at any tier to furnish goods or services for the performance of a government contract;

(8) "subcontractor" means any supplier, distributor, vendor, or firm at any tier that furnishs goods or services to or for a government contractor;

(9) "serious economic injury" means the loss of profits or impairment of existing capacity caused by actions taken under U.S. law that will obligate the United States to disarm or to limit the Armed Forces or armaments of the United States; and

(10) "verification provisions" means any provision, including but not limited to a provision governing the actual or potential presence of proximity of foreign personnel, equipment, or facilities, that relates to monitoring, or means of ensuring, compliance with an arms control agreement.

SEC. 4 ESTABLISHMENT AND COMPOSITION OF COMMISSION

(a) There is hereby established an Arms Control Competitive and Economic Adjustment Commission, hereinafter referred to as the "Commission", which shall consist of a Chairman and four other members.

(b) The Chairman shall be appointed by the President, by and with the advice and consent of the Senate, to serve on a full-time basis for a term of five years, and shall be compensated at the rate for level V of the Executive Schedule under section 5366 of Title 5 of the United States Code. The other members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate to serve on a part-time basis for a term of five years, and be compensated on a per diem basis at a rate of compensation equivalent to the daily rate for level V of the Executive Schedule under section 5316 of Title 5 for each day that such member is employed in the performance of official business of the Commission as may be directed by the Chairman. Each member of the Commission shall be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of Title 5 for persons in Government service employed intermittently.

(c) The President shall choose a Chairman and members of the Commission that fairly reflect the interests of persons, including the interests of State and local governments and businesses, affected by the verification provisions of arms control agreements. At least one member of the Commission must be appointed from a sector of the defense industry that is or may be affected by the verification provisions of an arms control agreement, and at least one member must be appointed from a State or local government that is or may be so affected. No more than two members of the Commission may be employed by the United States Government in any capacity other than in his or her capacity as a member of the Commission, and no more than three members of the Commission may be of the same political party.

(d) The Chairman and other members of the Commission may be removed by the President for cause after notice and opportunity to be heard.

(e) Three members of the Commission shall constitute a quorum, and the agreement of a majority of the members present and voting shall be necessary to any and all determinations by the Commission.

SEC. 5. JURISDICTION

(a) The Commission shall investigate, hear, and determine, in accordance with the procedures established in section 6, claims

against the United States by any person who has suffered competitive disadvantage in the actual or proposed procurement of goods or services by the United States as a result of the verification provisions of an arms control agreement.

(b) The Commission shall investigate, hear, and determine, in accordance with the procedures established in section 7 below, claims against the United States (other than claims specified in subsection 5(a)) by any person who has sustained serious economic injury because of the verification provisions of an arms control agreement.

(c) In addition to the jurisdiction granted by subsections 5(a) and (b), the Commission shall have jurisdiction to investigate and make recommendations to the President and Congress regarding the economic effects on State and local governments, businesses, organizations, and individuals of the verification provisions of any existing or proposed arms control agreement and the measures that could be taken to minimize or to compensate for those effects.

SEC. 6. COMPETITIVE DISADVANTAGE CLAIMS PROCEDURES

(a) Any person who has suffered competitive disadvantage in the actual or proposed procurement of goods or services by the United States as a result of the verification provisions of an arms control agreement may file a claim with the Commission at any time within one year of the date such competitive disadvantage was or should reasonably have been discovered. The claim shall be in writing and shall specify the actual or proposed procurement involved, the agency that conducted such procurement, the nature of the competitive disadvantage, and the verification provisions of the arms control agreement that allegedly caused such competitive disadvantage.

(b) No later than fifteen days following the receipt of a claim pursuant to subsection (a), the Commission shall notify the affected agency in writing of the receipt of the claim and shall provide the agency with a copy thereof. The agency shall have fifteen days from the date it receives such notification in which to submit a written response to the Commission. The response shall state whether the agency agrees that the claimant has suffered competitive disadvantage in the actual or proposed procurement of the goods or services specified in the claim as a result of the verification provisions of an arms control agreement. In the event the agency does not so agree, it shall state the reasons for its disagreement.

(c) In the event the agency agrees that the claimant has suffered competitive disadvantage in the actual or proposed procurement of goods or services as a result of the verification provisions of an arms control agreement, the Commission shall recommend to the agency the modifications, if any, that could be made to the actual or proposed procurement to reduce or eliminate the problems created by the verification provisions of the arms control agreement. In the event the agency determines that no such modifications could practically be made, or if the contract which is the subject of the procurement has already been awarded, the Commission shall issue the report required by subsection (e).

(d) In the event the agency disagrees with the allegations of the claim, the Commission shall institute an investigation to determine whether the claimant has suffered competitive disadvantage in the actual or proposed procurement as a result of the verification provisions of an arms control agreement. The agency shall cooperate with the investigation by making available to the Commission all relevant documents, by responding to written questions submitted by the Commission, and by making available for interview by the Commission the agency personnel responsible for the procurement.

(e) Following the investigation conducted pursuant to subsection (d), the Commission shall issue and serve upon the claimant and the agency a written report setting forth its findings regarding whether the claimant has suffered competitive disadvantage in the actual or proposed procurement as a result of the verification provisions of an arms control agreement. The report shall include a statement of the bases for the Commission's findings, but shall not disclose without the agency's consent confidential or privileged documents or information provided by the agency.

(f) Within 30 days of receipt of the report specified in subsection (e), the claimant or the agency may submit to the Commission a written request for a hearing for the purpose of presenting evidence regarding the findings contained in the Commission's report and the appropriate remedy or remedies for the competitive disadvantage, if any.

(g) Following the receipt of a request for hearing pursuant to subsection (f), the Commission shall conduct a hearing at which the claimant, the agency, and any other interested person may present testimony and documentary evidence regarding the matters specified in the request for hearing. The Commission may preside over the hearing or may delegate that function to one or more members or to a hearing officer to be designated by the Commission. The hearing shall be conducted in accordance with sections 555 and 556 of Title 5 of the United States Code, except that subsection (b) and (d) of section 556 shall not apply.

(h) In the event a hearing is requested on the findings contained in the Commission's report, the claimant shall bear the burden of establishing by a preponderance of the evidence that it has suffered competitive disadvantage in the actual or proposed procurement as a result of the verification provisions of an arms control agreement. Upon the establishment by the claimant of a prima facie case, the agency shall have the burden of establishing by a preponderance of the evidence that the claimant suffered no competitive disadvantage in the actual or proposed procurement as a result of the verification provisions of an arms control agreement.

(i) Following the hearing provided by subsection (g), the Commission shall determine on the record, in accordance with section 557 of Title 5 of the United States Code, whether the claimant has suffered competitive disadvantage in the actual or proposed procurement as a result of the verification provisions of an arms control agreement. The Commission's determination shall be set forth in a written decision that shall include a statement of the bases for the determination, the appropriate remedy or remedies for the competitive disadvantage, if any, found by the Commission, and the factors considered by the Commission in selecting the remedy or remedies. The Commission shall serve its decision upon the claimant, the agency, and any interested person who participated in the hearing.

(j) As used in this section, the term "agency" shall include the government contractor in the case of a government contract that is a subcontract.

SEC. 7 PROCEDURES FOR DETERMINING OTHER SERIOUS ECONOMIC INJURY CLAIMS

(a) Any person who has sustained serious economic injury (of a type not covered by section 6 of this Act) as a result of the verification provisions of an arms control agreement may file a claim with the Commission within one year of the date such injury was or should reasonably have been discovered. The claim shall specify the nature of the injury sustained and the verification provisions of the arms control agreement that allegedly caused the injury.

(b) No later than fifteen days following the receipt of a claim pursuant to subsection (a), the Commission shall notify the Attorney General of the United States in writing of the receipt of the claim and shall provide him with a copy thereof. The Attorney General shall have sixty days from the date he receives such notification in which to submit a written response to the Commission. The response shall state whether the Attorney General agrees that the claimant has sustained serious economic injury as a result of the verification provisions of an arms control agreement. In the event the Attorney General does not so agree, he shall state the reasons for his disagreement.

(c) In the event the Attorney General disagrees with the allegations of the claimant, the Commission shall institute an investigation to determine whether the claimant has sustained serious economic injury as a result of the verification provisions of an arms control agreement. The Attorney General shall cooperate with the investigation by making available to the Commission all relevant documents and by responding to written questions submitted by the Commission.

(d) Following the investigation conducted pursuant to subsection (c), the Commission shall issue and serve upon the claimant and the Attorney General a written report setting forth its findings regarding whether the claimant has sustained serious economic injury as a result of the verification provisions of an arms control agreement. The report shall include a statement of the basis for the Commission's findings, but shall not disclose without the consent of the Attorney General confidential or privileged documents or information provided by him.

(e) Within 30 days of receipt of the report specified in subsection (d), the claimant or the Attorney General may submit to the Commission a written request for a hearing for the purpose of presenting evidence regarding the findings contained in the Commission's report and the appropriate remedy or remedies for the serious economic injury, if any.

(f) Following the receipt of a request for hearing pursuant to subsection (e), the Commission shall conduct a hearing at which the claimant, the Attorney General, and any other interested person may present testimony and documentary evidence regarding the matters specified in the request for hearing. The Commission may preside over the hearing or may delegate that function to one or more members or to a hearing officer to be designated by the Commission. The hearing shall be conducted in accordance with sections 555 and 556 of Title 5 of the United States Code, except that subsection (b) and (d) of section 556 shall not apply.

(g) In the event a hearing is requested on the findings contained in the Commission's report, the claimant shall bear the burden of establishing by preponderance of the evidence that it has sustained serious economic

injury as a result of the verification provisions of an arms control agreement.

(h) Following the hearing provided by subsection (f), the Commission shall determine on the record, in accordance with section 557 of Title 5 of the United States Code, whether the claimant has sustained serious economic injury as a result of the verification provisions of an arms control agreement. The Commission's determination shall be set forth in a written decision that shall include a statement of the bases for the determination, the appropriate remedy or remedies for the serious economic injury, if any, found by the Commission, and the factors considered by the Commission in selecting the remedy or remedies. The Commission shall serve its decision upon the claimant, the Attorney General, and any interested person who participated in the hearing.

SEC. 8 REMEDIES.

(a) In the event the Commission finds—

(1) pursuant to section 6 of this Act, that a claimant has suffered competitive disadvantage in the actual or proposed procurement of goods or services by the United States as a result of the verification provisions of an arms control agreement, or

(2) pursuant to section 7 of this Act, that a claimant has sustained serious economic injury as a result of the verification provisions of an arms control agreement,

the Commission shall, after consideration of the factors specified in subsection (c) of this section, determine the appropriate remedy or remedies for such competitive disadvantage or serious economic injury pursuant to subsection (b) of this section.

(b) Appropriate remedies shall include, depending upon the factors set forth in subsection (c), one or more of the following—

(1) compensation equal to the economic loss, including the loss of profits (in the case of an individual or business) and the loss of tax revenue (in the case of a State or local government), sustained by the claimant, to the extent such loss can reasonably be measured;

(2) compensation equal to the capital investment made by the claimant in the reasonable expectation that it or another party would be awarded in contract for the goods or services in question or would have the opportunity to compete for a contract to provide such goods or services;

(3) compensation equal to the amount necessary to enable the claimant to reduce or eliminate the competitive disadvantage or serious economic injury as a result of the verification provisions of an arms control agreement; and

(4) in the case of a claimant who is a government contractor, a recommendation to the President that the claimant be given a countervailing competitive advantage in the award of or competition for government contracts of equivalent value to that subject to the actual or proposed procurement.

(c) In determining the appropriate remedy or remedies pursuant to subsection (a), the Commission shall consider the following factors:

(1) The extent of the impact on the claimant of the verification provisions of an arms control agreement;

(2) The economic adjustments made or planned by the claimant as a result of the verification provisions of an arms control agreement;

(3) The types of adjustments available to the claimant to eliminate or mitigate injury resulting from the verification provisions of an arms control agreement;

(4) The magnitude and importance of the government procurement at issue to the claimant's total business;

(5) The likelihood that the claimant would be denied future government contracts or the opportunity to compete for such contracts as a result of the verification provisions of amrs control agreements;

(6) The likelihood that claimant would be able to obtain government contracts or other business to replace the contract (or opportunity to compete for such contract) denied as a result of the verification provisions of arms control agreements; and

(7) The diminution in value of the claimant's property, if any, resulting from the verification provisions of arms control agreements.

(d) A determination by the Commission to award monetary compensation as the appropriate remedy pursuant to subsection (a) shall have the effect of a final judgment of the United States Claims Court, and payment of such an award shall be made in the same manner as is payment of a final judgment of the Claims Court. There is authorized to be appropriated such sums as are necessary to pay for such an award.

SEC. 9. JUDICIAL REVIEW.

(a) Judicial review may be had of a determination or action of the Commission only as provided by this section.

(b) Any person who has requested a hearing pursuant to subsection (f) of section 6 or subsection (e) of Section 7 of this Act, or any interested person that has participated in such hearing, may appeal a determination of the Commission under subsection (i) of section 6 or subsection (h) of section 7 to the United States Court of Appeals for the Federal Circuit within 90 days of the date such determination is issued.

(c) To the extent necessary to decision and when presented, the Court of Appeals for the Federal Circuit shall decide all relevant questions of law, interpret constitutional and statutory provisions, and determine the meaning or applicability of the terms of a determination made by the Commission pursuant to subsection (i) of section 6 or subsection (h) of section 7 of this Act. The court shall—

(1) compel any action required by subsection (i) of section 6 or subsection (h) of section 7 that is unlawfully withheld or unreasonably delayed; and

(2) hold unlawful and set aside any determination made by the Commission pursuant to subsection (i) of section 6 or subsection (h) of section 7 found to be—

(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;

(B) contrary to constitutional right, power, privilege, or immunity;

(C) in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;

(D) without observance of procedure required by law; or

(E) unsupported by substantial evidence.

In making the foregoing determination, the court shall review the whole record or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

(d) Any claimant, interested person, or the Attorney General (on behalf of the United States or any agency thereof) may obtain a writ of mandamus from the United States District Court for the District of Columbia to compel the Commission to perform an act that the Commission is required by statute to perform.

SEC. 10. AUTHORITIES

(a) The Commission shall have the power to adopt rules of procedure that are consistent with this Act.

(b) The Commission is authorized, in accordance with civil service laws and with Title 5 of the United States Code, to appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Commission. The Commission is authorized to employ experts and consultants in accordance with section 3109 of Title 5 without compensation or at rates of compensation not in excess of the maximum daily rate prescribed for GS-18 under section 5332 of Title 5. The Commission is also authorized, with the consent of the head of any other department or agency of the Federal Government, to utilize the facilities and services of such department or agency in carrying out the functions of the Commission. Officers and employees of any department or agency of the Federal Government may, with the consent of the head of such department or agency, be assigned to assist the Commission in carrying out its functions, and the Commission shall reimburse such department or agency for the pay of such officers or employees.

(c) The Commission, or its duly authorized agent or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy, any documentary evidence of any person, and the Commission shall have the power to require by subpoena the attendance and testimony of witnesses and the production of all such documentary evidence relating to any matter under investigation or hearing by the Commission. Any member of the Commission may sign subpoenas, and members and examiners of the Commission may administer oaths and affirmations, examine witnesses, and receive evidence.

(d) Attendance of witnesses, and the production of such documentary evidence, may be required from any place in the United States, at any designated place of hearing. Any of the district courts of the United States within the jurisdication of which such hearing is carried on may, in case of contumacy or refusal to obey a subpoena issued to any agency or person, issue an order requiring such agency or person to appear before the Commission, or to produce documentary evidence if so ordered, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(f) Upon the application of the Attorney General of the United States, at the request of the Commission, the district courts of the United States shall have jurisdiction to issue writs of mandamus commanding any agency or person to comply with the provisions of this section.

SEC. 11. REPORTS TO THE PRESIDENT AND CONGRESS

(a) The Commission shall submit a written report to the President and Congress on the first day of March of each calendar year that shall set forth the Commission's findings and views regarding—

(1) the effects of the verification provisions of arms control agreements on state and local governments, businesses, organizations, and individuals;

(2) the adjustments made by State and local governments, businesses, organizations, and individuals because of the verifi-

cation provisions of arms control agreements;

(3) the Commission's effectiveness in assisting State and local governments, businesses, organizations, and individuals to adjust to the verification provisions of arms control agreements;

(4) the revisions that could be made to this and other statutes to increase the Commission's effectiveness in assisting State and local governments, businesses, organizations, and individuals to adjust to the verification provisions of arms control agreements; and

(5) the likely effects on state and local governments, businesses, organizations, and individuals of the verification provisions of any proposed arms control agreement.

(b) The report submitted pursuant to subsection (a) shall specify the findings made and remedies granted by the Commission with respect to each claim of competitive disadvantage or serious economic injury filed pursuant to sections 6 and 7 of this Act during the one year period immediately preceding the date on which the report is required to be submitted.

(c) The Commission may hold an informal hearing for the purpose of receiving testimony and other evidence relevant to the subjects on which it is required to report to the President and Congress pursuant to subsection (a).

(d) The Commission shall, upon request by the President or any Member of Congress, report to the President and Congress on any matter specified in subsection (a) or on any other matter within its jurisdiction.

SEC. 12. PUBLIC INFORMATION AND RECORDS

(a) Information shall be made available to the public under this Act in accordance with section 552 of Title 5 of the United States Code.

(b) Material submitted by a claimant shall not be withheld from any interested party outside the government or from any federal agency which may be involved in the claim except to the extent that the withholding of information is permitted or required by law or regulation. If the claimant considers that the claim or related documents contains or involves material which should be so withheld, a statement advising of this fact must be affixed to the front page of the document and the allegedly protected information must be indentied wherever it appears.

SEC. 13. EFFECT ON EXISTING LAWS

(a) Nothing in this Act shall affect in any way the right of any person to protect a procurement action pursuant to Subchapter V of Title 31 of the United States Code of to bring an action protesting such action before the United States Claims Court or of a district court of the United States.

(b) Nothing in this Act shall affect in any way the right of any person to bring an action alleging the taking of property without just compensation pursuant to section 1491 of title 28, United States Code, notwithstanding any other provision of law.

SEC. 14. SEVERABILITY

If any provision of this Act, or the application thereof, is held invalid, the remainder of the Act, or other applications of such provisions, shall not be affected.

SEC. 15. AUTHORIZATION OF APPROPRIATIONS

There are hereby authorized to be appropriated for purposes of this title such sums as may be necessary.

By Mr. HATCH:

S.J. Res. 262. Joint resolution to designate the month of March 1988 as "Women's History Month"; referred to the Committee on the Judiciary.

WOMEN'S HISTORY MONTH

Mr. HATCH. Mr. President, I am pleased to introduce a resolution proclaiming the month of March 1988 as Women's History Month. I believe it is appropriate that we set aside March 1988 to pay tribute to the varied contributions made by women to our society.

Historically women have worked to initiate social reforms and improve the quality of life. Women have expanded their fields of endeavor until, today, we have women honorably serving in all segments of society. It is not uncommon to see women serving not only in traditional roles but as corporate executives, university presidents, or as a Supreme Court Justice. We must not forget the women who made the acceptance of women in these positions possible.

Utah has the honor of having many historical firsts for women. Utah was the first territory to allow women the vote. Utah had the first woman to be mentioned as a candidate for the U.S. Supreme Court, Florence Allen, who was considered by Franklin Roosevelt when he was President. The first woman State senator in the United States was a Utahn, Martha Hughes Cannon. An interesting aside to this election was that her husband ran for the State senate in the same election, but lost.

The first all-woman city government was elected to office in Kanab, UT. The first woman to chair a major political party was a Utahn, Jean Westwood. And the first woman delegate to a national political convention came from Utah, J.M. Cohen. She made the seconding speech for the nomination of William Jennings Bryan and used a well-chosen 55 words for her talk.

Women all across our country have been involved in the shaping of the history of this Nation. These women deserve to be recognized and remembered for their contributions. I urge my colleagues to join with me in supporting this important resolution.

Mr. President, at this point I ask unanimous consent that the text of this joint resolution be printed in full in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 262

Whereas American women of every race, class, and ethnic background have made historical contributions to the growth and strength of the Nation in countless recorded and unrecorded ways;

Whereas American women have played and continue to play a critical economic, cultural, and social role in every sphere of our Nation's life by constituting a significant portion of the labor force working in and outside of the home;

Whereas American women have played a unique role throughout our history by providing the majority of the Nation's volunteer labor force and have been particularly important in the establishment of early charitable philanthropic and cultural institutions in this country;

Whereas American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement, not only to secure their own right of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements to create a more fair and just society for all; and

Whereas, despite these contributions, the role of American women in history has been consistently overlooked and undervalued in the body of American history: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the month of March, 1988, is designated as "Women's History Month", and the President is requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities.

ADDITIONAL COSPONSORS

S. 332

At the request of Mr. DECONCINI, the name of the Senator from Arkansas [Mr. BUMPERS] was added as a cosponsor of S. 332, a bill to provide for a General Accounting Office investigation and report on conditions of displaced Salvadorans, to provide certain rules of the House of Representatives and of the Senate with respect to review of the report, to provide for the temporary stay of detention and deportation of certain Salvadorans, and for other purposes.

S. 533

At the request of Mr. THURMOND, the name of the Senator from Oklahoma [Mr. BOREN] was added as a cosponsor of S. 533, a bill to establish the Veterans' Administration as an executive department.

S. 542

At the request of Mr. ARMSTRONG, the name of the Senator from New Hampshire [Mr. HUMPHREY] was added as a cosponsor of S. 542, a bill to recognize the organization known as the Retired Enlisted Association, Inc.

S. 552

At the request of Mr. CRANSTON, the names of the Senator from Texas [Mr. BENTSEN], and the Senator from Maryland [Mr. SARBANES] were added as cosponsors of S. 552, a bill to improve the efficiency of the Federal classification system and to promote equitable pay practices within the Federal Government and for other purposes.

S. 675

At the request of Mr. MITCHELL, the names of the Senator from Washington [Mr. ADAMS], the Senator from Il-

linois [Mr. SIMON], the Senator from Iowa [Mr. HARKIN], the Senator from Oregon [Mr. PACKWOOD], and the Senator from Delaware [Mr. BIDEN] were added as cosponsors of S. 675, a bill to authorize appropriations to carry out the Endangered Species Act of 1973 during fiscal years 1988, 1989, 1990, 1991, and 1992.

S. 1776

At the request of Mr. ARMSTRONG, the name of the Senator from Georgia [Mr. FOWLER] was added as a cosponsor of S. 1776, a bill to modernize U.S. circulating coin designs, of which one reverse will have a theme of the bicentennial of the Constitution.

S. 1817

At the request of Mr. KENNEDY, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Florida [Mr. GRAHAM], and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 1817, a bill to amend the Internal Revenue Code of 1986 to provide that gross income of an individual shall not include income from U.S. savings bonds which are transferred to an educational institution as payment for tuition and fees.

S. 1904

At the request of Mr. KENNEDY, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1904, a bill to strictly limit the use of lie detector examinations by employers involved in or affecting interstate commerce.

S. 2022

At the request of Mr. CRANSTON, the name of the Senator from North Dakota [Mr. BURDICK] was added as a cosponsor of S. 2022, a bill to amend title 38, United States Code, to authorize reduction under certain circumstances in the downpayments required for loans made by the Veterans' Administration to finance the sales of properties acquired by the Veterans' Administration as the result of foreclosures and to clarify the calculation of available guaranty entitlement and make other technical and conforming amendments.

S. 2067

At the request of Mr. CONRAD, the name of the Senator from Kentucky [Mr. FORD] was added as a cosponsor of S. 2067, a bill to amend the Internal Revenue Code of 1986 to permit farmers to purchase tax-free certain fuels for farm use, and for other purposes.

SENATE JOINT RESOLUTION 197

At the request of Mr. DOLE, the name of the Senator from Delaware [Mr. ROTH] was added as a cosponsor of Senate Joint Resolution 197, a bill to designate the month of April 1988, as "Prevent-A-Litter Month."

SENATE JOINT RESOLUTION 227

At the request of Mr. HOLLINGS, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of Senate Joint Resolution 227, a joint resolution to express gratitude for law enforcement personnel.

SENATE JOINT RESOLUTION 235

At the request of Mr. DECONCINI, the name of the Senator from Ohio [Mr. GLENN] was added as a cosponsor of Senate Joint Resolution 235, a joint resolution deploring the Soviet Government's active persecution of religious believers in Ukraine.

SENATE JOINT RESOLUTION 247

At the request of Mr. BRADLEY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of Senate Joint Resolution 247, a joint resolution to authorize the President to proclaim the last Friday of April 1988 as "National Arbor Day."

SENATE JOINT RESOLUTION 250

At the request of Mr. GRASSLEY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of Senate Joint Resolution 250, a joint resolution designating the week of May 8, 1988, through May 14, 1988, as "National Osteoporosis Prevention Week of 1988."

SENATE JOINT RESOLUTION 253

At the request of Mr. CRANSTON, the names of the Senator from Texas [Mr. BENTSEN], the Senator from Oklahoma [Mr. NICKLES], the Senator from New Mexico [Mr. DOMENICI], and the Senator from North Dakota [Mr. CONRAD] were added as consponsors of Senate Joint Resolution 253, a joint resolution designating April 9, 1988 and April 9, 1989, as "National Former Prisoner of War Recognition Day."

SENATE JOINT RESOLUTION 257

At the request of Mr. HUMPHREY, the names of the Senator from Rhode Island [Mr. PELL], the Senator from Nebraska [Mr. EXON], and the Senator from South Carolina [Mr. THURMOND] were added as cosponsors of Senate Joint Resolution 257, a joint resolution to authorize and request the President to issue a proclamation designating March 21, 1988, as "Afghanistan Day," a day to commemorate the struggle of the people of Afghanistan against the occupation of their country by Soviet forces.

SENATE JOINT RESOLUTION 258

At the request of Mr. THURMOND, the name of the Senator from Michigan [Mr. RIEGLE] was added as a cosponsor of Senate Joint Resolution 258, a joint resolution expressing the sense of the Congress that the people of the United States should purchase products made in the United States and services provided in the United States, whenever possible, instead of products made or services performed outside the United States.

SENATE RESOLUTION 377

At the request of Mr. LUGAR, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 377, a resolution to express the sense of the Senate regarding negotiations on a new long-term agreement on agricultural trade with the Soviet Union.

SENATE RESOLUTION 381—ORIGINAL RESOLUTION REPORTED AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE

Mr. FORD, from the Committee on Rules and Administration, reported the following original resolution; which was placed on the calendar:

S. RES. 381

Resolved, That this resolution may be cited as the "Omnibus Committee Funding Resolution of 1988."

AGGREGATE AUTHORIZATION

SEC. 2. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate, there is authorized in the aggregate $47,856,813, in accordance with the provisions of this resolution, for all Standing Committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Select Committee on Indian Affairs.

(b) Each committee referred to in subsection (a) shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 1989.

(c) Any expenses of a committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees of the committee who are paid at an annual rate, or (2) for the payment of long-distance telephone calls, or (3) for the payments to the Keeper of Stationery, U.S. Senate.

(d) There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees from March 1, 1988 through February 28, 1989, to be paid from the appropriations account for "Expenses of inquiries and investigations".

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

SEC. 3. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,719,586, of which amount (1) not to exceed $4,000 may be expended for the procurement of the services of individual consultants, or organi-

zations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON APPROPRIATIONS

SEC. 4 (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate, the Committee on Appropriations is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $4,119,856 of which amount (1) not to exceed $160,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $8,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON ARMED SERVICES

SEC. 5. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,490,812, of which amount (1) not to exceed $25,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $4,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

SEC. 6. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,690,000, of which amount (1) not to exceed $1,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON THE BUDGET

SEC. 7. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraph 1 of rule XXVI of the Standing Rules of the Senate, the Committee on the Budget is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $3,022,846, of which amount not to exceed $22,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

SEC. 8. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $3,379,375, of which amount (1) not to exceed $14,572 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $10,850 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON ENERGY AND NATURAL RESOURCES

SEC. 9. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,446,068, of which amount (1) not to exceed $20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

SEC. 10. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,381,014 of which amount (1) not to exceed $8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON FINANCE

SEC. 11. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the

Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,503,993, of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON FOREIGN RELATIONS

SEC. 12. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,438,915, of which amount (1) not to exceed $45,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON GOVERNMENTAL AFFAIRS

SEC. 13. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Governmental Affairs is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $4,529,719, of which amount (1) not to exceed $49,326 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $2,470 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

(c)(1) The committee, or any duly authorized subcommittee thereof, is authorized to study or investigate—

(A) the efficiency and economy of operations of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public;

(B) the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities;

(C) organized criminal activity which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions and the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, and further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal acitivity have infiltrated lawful business enterprise, and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against such practices or activities;

(D) all other aspects of crime and lawlessness within the United States which have an impact upon or affect the national health, welfare, and safety; including but not limited to investment fraud schemes, commodity and security fraud, computer fraud, and the use of offshore banking and corporate facilities to carry out criminal objectives.

(F) the efficiency and economy of operations of all branches and functions of the Government with particular reference to—

(i) the effectiveness of present national security methods, staffing, and processing as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(ii) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents;

(iii) the adequacy of present intergovernmental relationships between the United States and international organizations principally concerned with national security of which the United States is a member; and

(iv) legislative and other proposals to improve these methods, processes, and relationships;

(F) the efficiency, economy, and effectivness of all agencies and departments of the Government involved in the control and management of energy shortages including, but not limited to, their performance with respect to—

(i) the collection and dissemination of accurate statistics on fuel demand and supply;

(ii) the implementation of effective energy conservation measures;

(iii) the pricing of energy in all forms;

(iv) coordination of energy programs with State and local government;

(v) control of exports of scarce fuels;

(vi) the managment of tax, import, pricing, and other policies affecting energy supplies;

(vii) maintenance of the independent sector of the petroleum industry as a strong competitive force;

(viii) the allocation of fuels in short supply by public and private entities;

(ix) the management of energy supplies owned or controlled by the Government;

(x) relations with other oil producing and consuming countries;

(xi) the monitoring of compliance by governments, corporations, or individuals with the laws and regulations governing the allocation, conservation, or pricing of energy supplies; and

(xii) research into the discovery and development of alternative energy supplies; and

(G) the efficiency and economy of all branches and functions of Government with particular reference to the operations and management of Federal regulatory policies and programs:

Provided, That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of any particular branch of the Government; but may extend to the records and activities of any persons, corporation, or other entity.

(2) Nothing contained in this section shall affect or impair the exercise of any other standing committee of the Senate of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946, as amended.

(3) For the purpose of this section the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from March 1, 1988, through February 28, 1989, is authorized, in its, his, or their discretion (A) to require by subpoena or otherwise the attendance of witnesses and production of correspondence, books, papers, and documents, (B) to hold hearings, (C) to sit and act at any time or place during the sessions, recess, and adjournment periods of the Senate, (D) to administer oaths, and (E) to take testimony, either orally or by sworn statement, or, in the case of staff members of the Permanent Subcommittee on Investigations specifically authorized by the chairman, by deposition.

(4) All subpoenas and related legal processes of the committee and its subcommittees authorized under S. Res. 353 of the Ninety-ninth Congress, second session, are authorized to continue.

COMMITTEE ON THE JUDICIARY

SEC. 14. (a) In carrying out is powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 1988, through February

28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $4,336,859, of which amount (1) not to exceed $75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act.)

COMMITTEE ON LABOR AND HUMAN RESOURCES

SEC. 15. (a) In carrying out is powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Labor and Human Resources is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $4,549,148, of which amount (1) not to exceed $43,200 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $7,500 may be expended for the training of the professional staff of such committee (under the procedures specified by section 202(j) of such Act).

COMMITTEE ON RULES AND ADMINISTRATION

SEC. 16. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,304,043, of which amount (1) not to exceed $4,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $3,500 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

COMMITTEE ON SMALL BUSINESS

SEC. 17. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Small Business is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department of agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department of agency.

(b) The expenses of the committee under this section shall not exceed $972,617, of which amount $1,500 may be expended for the training of professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946, as amended).

COMMITTEE ON VETERANS' AFFAIRS

SEC. 18. (a) In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Veterans' Affairs is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,001,553.

SPECIAL COMMITTEE ON AGING

SEC. 19. (a) In carrying out the duties and functions imposed by section 104 of S. Res. 4, Ninety-fifth Congress, agreed to February 4, 1977, and in exercising the authority conferred on it by such section, the Special Committee on Aging is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,094,591, of which amount (1) not to exceed $33,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $800 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

SELECT COMMITTEE ON INTELLIGENCE

SEC. 20. (a) In carrying out its powers, duties, and functions under S. Res. 400, agreed to May 19, 1976, in accordance with its jurisdiction under section 3(a) of such resolution, including holding hearings, reporting such hearings, and making investigations as authorized by section 5 of such resolution, the Select Committee on Intelligence is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $2,105,072, of which amount not to exceed $41,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended).

SELECT COMMITTEE ON INDIAN AFFAIRS

SEC. 21. (a) In carrying out the duties and functions imposed on it by section 105 of S. Res. 4, Ninety-fifth Congress, agreed to February 4 (legislative day, February 1), 1977, as amended, the Select Committee on Indian Affairs is authorized from March 1, 1988, through February 28, 1989, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(b) The expenses of the committee under this section shall not exceed $1,770,746, of which amount (1) not to exceed $205,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed $1,600 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of such Act).

(c)(1) The Special Committee on Investigations (hereafter in this section referred to as the "special committee"), a duly authorized subcommittee of the select committee, is authorized from March 1, 1988, through February 28, 1989, to study or investigate any and all matters pertaining to problems and opportunities of Indians and the Federal administration of mineral resources, including but not limited to resource management and trust responsibilities of the United States Government, Indian education, health, special services, and other Federal programs, and related matters.

(c)(2) For the purpose of this section the special committee is authorized from March 1, 1988, through February 28, 1989, in its discretion (A) to adopt rules (not inconsistent with this resolution and the Standing Rules of the Senate) governing its procedure, to be published in the Congressional Record, (B) to make investigations into any matter within its jurisdiction, (C) to make expenditures from the contingent fund of the Senate, (D) to employ personnel, (E) to sit and act at any time or place during the sessions, recess, and adjourned periods of the Senate, (F) to hold hearings and to take staff depositions and other testimony, (G) to require, by subpoena or order, the attendance of witnesses and the production of cor-

respondence, books, papers, and documents at hearings or at staff depositions, (H) to procure the services of individual consultants or organizations thereof, in accordance with the provisions of section 202(i) of the Legislative Reorganization Act of 1946, as amended, and (I) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable basis the services of personnel of any such department or agency.

(c)(3) The chairman of the special committee or any member thereof may administer oaths to witnesses, and, at staff depositions authorized by the special committee, oaths may be administered by any individual authorized by local law to administer oaths.

(c)(4) Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman or the member signing the subpoena.

(d) The special committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate through the select committee at the earliest practicable date, but not later than February 28, 1989.

NOTICES OF HEARINGS

SELECT COMMITTEE ON INDIAN AFFAIRS

Mr. INOUYE. Mr. President, I would like to announce that the Select Committee on Indian Affairs will be holding the following hearings:

Tuesday, February 23, 1988, beginning at 9:30 a.m., in Senate Russell 485, an oversight hearing on the barriers to Indian participation in Government procurement contracting;

Thursday, February 25, 1988, beginning at 9 a.m., in Senate Russell 485, an oversight hearing on the fiscal year 1989 Budget for Indian programs; and

Thursday, March 3, 1988, beginning at 2 p.m., in Senate Dirksen 628, a markup on S. 721, the Indian Development Finance Corporation Act; S. 1236, reauthorization of the Navajo-Hopi Relocation; and, S. 802, a bill to transfer ownership of certain lands held in trust for the Blackfeet Tribe.

Those wishing additional information should contact the committee at 224-2251.

ADDITIONAL STATEMENTS

CALL TO CONSCIENCE

● Mr. BENTSEN. Mr. President, so long as people in the Soviet Union are denied their basic human rights, we must not forget their suffering. Indeed, we must speak out on behalf of those who cannot freely speak for themselves. Today, I want to add my voice to the Call to Conscience Vigil.

Whatever glasnost and perestroika may mean for the Soviet economy, they have not yet led to openness toward religious expression, nor to a restructing of the police state system. The Soviet Union still deifies atheism and confines clear-thinking dissidents to so-called psychiatric hospitals.

Only in emigration has the situation improved noticeably, to the highest figure since 1981, nine times the number in 1986. Even so, last year's total was only one-sixth the 1979 record. There are still tens of thousands of Soviet Jews who are denied permission to leave, and countless more who would probably apply if they thought they would not be punished for doing so.

The credit for the increases in emigration belongs not to Mikhail Gorbachev, but to the millions of Americans who have shown their solidarity with Soviet Jews. The modest improvements in emigration would not have occurred without the pressure from those of us who have made this issue a high priority in United States/Soviet relations. The 200,000 Americans who marched peacefully in Washington last December bore witness to our continuing commitment to human rights for all peoples.

We want better relations between the nuclear superpowers, but not at the price of religious oppression. We want the Soviet Union to honor its international obligations. We want people everywhere to be free to worship and free to travel and free to unify their families. And until that day arrives, we want all to know that we shall not forget them and their suffering.●

BICENTENNIAL MINUTE

FEBRUARY 20, 1794: FIRST PUBLIC SESSION OF THE SENATE

(By request of Mr. SIMPSON, the following statement was ordered to be printed in the RECORD:)

● Mr. DOLE. Mr. President, 194 years ago this weekend, on February 20, 1794, the Senate held its first public session. The Constitution's framers had assumed that the newly created Senate would follow their own practice of meeting in secret. The remarkable feature of the newly created Congress was not that Senate meetings would be secret, but that House meetings would be open.

In the first few years of the Senate's existence, defenders of secrecy looked with disdain on the House where members were tempted to perform for the gallery, whose occupants routinely cheered and hissed as issues were debated. Nonetheless, from the very beginning, some Senators advocated an open-door policy. In particular, minority party members believed public scrutiny would expose various schemes of those in the majority. Also, State legislators realized that they had no way to keep tabs on the behavior of the Senators they elected.

Eventually, the Senate's Federalist majority recognized that their views could more easily win popular support if aired publicly rather than concealed. The spreading notion of the Senate as a lurking hole in which conspiracies were hatched against the public interest had to be put to rest. Additionally, press coverage of the House helped popularize that body's role and the public began to use the words "House" and "Congress" interchangeably. The Senate was in danger of becoming the forgotten Chamber.

A dispute early in 1794 over whether to accept the credentials of a newly elected Pennsylvania Senator provided the shove that opened the Senate's doors. At that time, the capital was located in Philadelphia. Senators recognized the delicacy of moving, behind closed doors, to reject a man just selected by that State's legislature. Consequently, the Federalist majority agreed to open the doors just for that occasion. Shortly afterward, the Senate decided to make the change permanent.●

GUATEMALA

● Mr. HATFIELD. Mr. President, "The savagery for which this country has become infamous still dominates public and private life," writes correspondent Stephen Kinzer in the February 17 New York Times of the desperate country of Guatemala. While we are debating the threat of communism in Nicaragua with myopic and relentless vigor, the people of Guatemala are dying: 170 in December alone, the last month for which this grisly statistic is available.

When Vinicio Cerezo was elected President 2 years ago, the first civilian to occupy the office in several decades of brutal Guatemalan history, we thought things would change. I know, Mr. President, because I was an official observer of the election that brought him to power. We thought the brutal military repression that had plagued the country for so long and had claimed the lives of many thousands of civilians finally would end.

It did not. There have been changes, mostly legal changes that some hoped could strengthen civilian oversight of the military or enhance efforts to investigate past torture, "disappearances," and extrajudicial execution. But as Mr. Kinzer points out, "the number of victims has declined * * * but the pattern remains unchanged." Says a religious worker from the countryside: "Nothing has changed around here. The soldiers are in complete control and no one can question them. Innocent people are still being killed and planes are bombing all the time."

The most amazing thing about all this, Mr. President, is that there are a large number of people in the administration and in the Congress who tell us that the best way to encourage democracy in Guatemala today is to provide military aid. Not humanitarian

aid—military aid. The administration regularly cites Guatemala as one of this hemisphere's proud democracies when the facts clearly suggest that President Cerezo is serving at the military's behest. To this day, Mr. President, not a single soldier has spent time in jail for the thousands of summary executions in Guatemala.

To those supporters of military aid, I respond with the words of a European ambassador posted in Guatemala: "If there is another country in the world where human life is so cheap, I don't know what country it would be." United States military aid would make it cheaper still.

I ask that Mr. Kinzer's article, "With a Civilian in Charge, Guatemala Still Can't Fully Rein in the Brutality," be printed in the RECORD.

The article follows:

WITH A CIVILIAN IN CHARGE

(By Stephen Kinzer)

SANTIAGO ATITLAN, GUATEMALA, Feb. 12.—Set providentially beside one of the world's most beautiful volcanic lakes, yet shaken by unending cycles of terror and death, the village of Santiago Atitlán is an apt metaphor for Guatemala.

The inauguration in 1986 of a civilian President, Vinicio Cerezo, raised hopes that Guatemala might be emerging from its hell of street-corner murders and midnight abductions. But the new era has yet to dawn, and the savagery for which this country has become infamous still dominates public and private life.

In Santiago Atitlán, a death list with the names of more than 100 local residents began circulating late last year. It was reputedly drawn up by Marxist guerrillas, but many here say they believe it was the work of experienced killers tied to the army or the police.

3 ON LIST ARE KILLED

At least three people whose names were on the list have been killed and others have fled. So many teachers abandoned the nearby hamlet of Cerro de Oro that the school there has been closed.

"There is violence and fear of violence everywhere," said the local school superintendent, Gerardo Méndez Avila, who admits being afraid even though his name is not on the death list. "I just tell myself that my job is to educate children, and I try to do it as best I can under the circumstances."

Across the town square, the Mayor of Santiago Atitlán was less forthcoming and perhaps more prudent. In an interview that he was plainly anxious to end, he said he had not heard of a death list, did not know how many local residents had been murdered this year, could not guess who might be responsible, and had no idea why the school in Cerro de Oro was closed.

Soldiers normally stay off the streets of Santiago Atitlán, an artisan town where foreign tourists often arrive by boat to buy native handicrafts. But a few miles down the dirt highway at San Lucas Tolimán, soldiers dressed in camouflage uniforms and carrying Israeli-made Galil assault rifles are a common sight. Today an army helicopter landed six times on a soccer field there, each time disgorging a full load of supplies while an officer warned a photographer against taking pictures.

Other parts of the country are also heavily militarized. In the northern province of Quiché, a major anti-guerrilla offensive began in October, and more than 2,000 terrified Indians have decended to Nebaj and other towns for fear of what might happen to them in the countryside.

"Nothing has changed around here," said a religious worker based in the area. "The soldiers are in complete control and no one can question them. Innocent people are still being killed and planes are bombing all the time."

The Guatemalan terror has traditionally been a mixture of mass killings in the countryside and selective assassination in cities. The number of victims has declined since Mr. Cerezo took office, but the patterns remain unchanged. A death list began circulating in Santiago Atitlán last year; at least three residents named on the list were killed and others have fled.

Today family and friends buried Ana Elizabeth Paniagua, 25 years old, at a cemetery in the capital. She had been grabbed off the street a few days earlier by armed men driving a van with darkened windows and no license plates. Her tortured body was found in a ravine soon afterward.

Like many victims here, Mrs. Paniagua had been associated with the country's main institution of higher learning, the University of San Carlos, which rightists consider a hotbed of subversion. Labor organizers and school teachers also figure prominently among the disappeared and killed.

MOTHER ACCUSES THE POLICE

Mrs. Paniagua's mother has no doubt who was responsible for the murder. "The men who kidnapped her were members of the national police," she said in a statement before the body was found.

For years, Guatemalan security forces have maintained that they must be able to act freely to combat the guerrilla threat. The scale of that threat is a matter of debate, since even the army agrees that the guerrillas, thought to number fewer than 1,500, are not strong enough to endanger the country's political or economic stability.

Some Guatemalans expected Mr. Cerezo to challenge the power of the army, but instead he has chosen to reinforce it. He is rarely seen in public without at least one officer at his side, and he has tacitly recognized the army's right to set its own standards of conduct.

The Minister of Defense, Gen. Hector Gramajo, confirmed in an interview that the Government was bombing suspected guerrilla hideouts.

"We've done a lot to remove the population that was under guerrilla control," he said. "We are using artillery and we are using aviation. We drop bombs, but only where we know there is no population."

"Even though nothing changes from black to white in a single day, our army is following a new military doctrine," General Gramajo said. "We used to be confused, and we were using the techniques of an occupation army in our own country. When the guerrillas killed one of our people, we would find a collaborator of theirs and shoot him at night. Now we operate strictly within the law."

SUPPORT FROM THE ARMY

In exchange for his vigorous support of the army, Mr. Cerezo has won crucial protection against landowners and businessmen seeking to overthrow his administration. "Every eight days there is an attempted coup," a presidential aide said.

Mr. Cerezo's efforts to revise Guatemala's tax structure have aroused venemous opposition from the well-organized private sector. Despite his success in stabilizing the currency, curbing inflation and starting to bring Guatemala out of its international isolation, many business leaders fear he is opening a door to Marxism.

In an effort to introduce modern police techniques in Guatemala, the Government is retraining police officers and issuing them new equipment. In one case, a local police chief and several officers under his command were dismissed after strong indications that they were involved in killings. But such cases remain the exception.

In December, the last month for which figures are available, there were more than 170 killings in Guatemala, making it the most violent month since Mr. Cerezo assumed the presidency. Human rights workers estimate that one-third to one-half of the killings are political in nature.

Guatemala's campaign to emerge from its notoriety has been hindered not only by the continuing killings, but also by the fact that more than 100,000 refugees, nearly all of them Indians, remain in camps in Mexico, afraid to return to their homes. Most fled during the early 1980's, when a brutal counter-insurgency campaign took more than 10,000 lives and resulted in the destruction of several hundred villages.

REFUGEES URGED TO RETURN

The Government is urging the refugees to come home, and Mr. Cerezo's wife has traveled to camps in Mexico to transmit the invitation personally. A few small groups have returned, including 118 Mam Indians who arrived a few days ago under the auspices of the United Nations.

"We came because we want to be in our homeland, and because the First Lady told us things were different now," said one of the Indians, Jacobo Jiménez Gerónimo, who spent five years in a Mexican refugee camp. "Most of the others are still afraid."

Foreigners who work with the refugees say that some parts of the country are, at least for the moment, safe for those who want to return. But where the army is no longer killing Indians, the age-old question of land, which is a matter of life or death in Guatemala, is still overwhelming. Three percent of Guatemalans own half the country's arable land, which by some estimates makes the distribution of land here more unequal than in any other country in the Western Hemisphere.

When Indians fled to Mexico, much of their abandoned land was given to others, usually impoverished peasants from other parts of the country. As the refugees begin to return, they often find new tenants unwilling to give up the land that now sustains them.

"Many of the villages in the north are heavily fortified, and the refugees are afraid to go back there," a relief worker said. "But in other places, land is even a bigger problem than security."

The town of Auguacatan in the Guatemalan highlands is typical of places where peasants try to eke a living from the rocky and infertile soil that is left to them. Lack of land and a fear of repression are the two dominant facts of life there, according to the Mayor, Gaspar Velázquez Escobar.

'THERE IS NO EXCAPE'

"There have been terrible killings here and almost all the victims were killed by security forces because someone who had a personal grudge denounced them as guerrillas," Mr. Velázquez said. "There is no escape for these people. They have no land here

and nothing else anywhere. If the Government offered them land in some other part of the country, everyone in this town would volunteer to leave immediately."

In the western provincial capital of Hueheutenango, a young businessman named Carlos Palma is trying to build his grandmother's weaving shop into a business that can support his family. He is frustrated with the slow pace of change in Guatemala and, like most of his countrymen, fears the army and the police. But he believes Mr. Cerezo is acting wisely.

"Many people are impatient because the President is so friendly with the army and doesn't seem to be doing much for the poor," Mr. Palma said as he sat surrounded by brilliantly colored fabrics. "But we have to realize that if he moves to fast, he will provoke a reaction and the whole democracy will crash. Then we will be back where we were five years ago."

A European ambassador who has been posted in Guatemala for several years said he had seen "a good deal of progress in human rights" since Mr. Cerezo took office. But he said new attitudes had yet to take root here.

"If there is another country in the world where human life is so cheap," the ambassador said, "I don't know what country it would be."●

BEN F. HALL, PAST CHAIRMAN OF THE NEW MEXICO STATE ASC COMMITTEE

● Mr. DOMENICI. Mr. President, today I wish to share with my colleagues my sincere gratitude for the dedicated service of a fellow New Mexican—Mr. Ben F. Hall.

Ben served as chairman to the New Mexico State Agricultural Stabilization and Conservation [ASC] Committee since 1981. Ben was an excellent chairman. He served unselfishly with New Mexico agriculture's best interest at heart.

During his 7-years tenure, New Mexico agriculture saw good times and bad. Our farmers and ranchers saw drought and flood. They saw profitability and losses. And Ben served through it all in a level-headed and fair manner. He played no favorites and did what he thought was best for all concerned.

In my opinion, New Mexico agriculture will miss his common-sense leadership. I am hopeful that Ben will consider serving New Mexico's agriculture in another capacity when the next opportunity come along.

Ben took over the operaton of his family ranch at age 19. The ranch has been in his family's ownership since 1895. Through his careful stewardship, he has developed a successful ranching operation.

Since 1972, Ben and his wife, Frances, have raised longhorns on their 40,000-acre Canyon Blanco Ranch in Taiban, NM. They have about 140 purebred Texas longhorns and another 150 or so crossed with other breeds. In addition, they run about 600 head of commercial yearling steers.

Ben is a member of the New Mexico Farm and Livestock Bureau, the New Mexico Cattle Growers' Association, as well as the New Mexico and national associations of Texas Longhorn Breeders. Ben is also a very active member of his local Episcopal Church.

He has served as commissioner of De Baca County for the past 12 years and chairman of the board of De Baca General Hospital for the past 38 years. At various times he has also served on the De Baca County ASC Committee, the SCS County Committee, as well as on the local soil and water conservation district board.

Ben is a past chairman of the Republican Party in De Baca County. He served on the school board in Fort Sumner, NM. He also served as warden and on the bishop's committee at St. John's Mission in Fort Sumner.

Ben is currently a director of work at the Scottish Right Consistory in Santa Fe. He is also a 33d degree Mason.

I am sure Ben's wife, Frances, and his children, David, Susan, and Mary, are as proud of Ben as the New Mexico congressional delegation is for all his noteworthy accomplishments and endeavors.

I feel particularity close to the Hall family because of their son, Eddie, who passed away last year. I know Eddie would have been just as proud of Ben.

My congratulations to Ben for a job well done. He served New Mexico farmers and ranchers well for the past 7 years. Ben will be missed but certainly not forgotten.●

THE MINORITY BUSINESS DEVELOPMENT ACT OF 1987

● Mr. D'AMATO. Mr. President, I rise today as a cosponsor of the Minority Small Business Development Act of 1987, S. 1848.

Small businesses are the backbone of America. They provide services that are essential to the economy of this country. Having recognized the importance of small business, the Federal Government created the Small Business Administration to help small business development.

Minority small businesses are faced with different concerns than are other small businesses. In 1969, the Minority Business Development Agency was created by executive order under the jurisdiction of the Department of Commerce. S. 1848 would make the MBDA a permanent agency under the Department of Commerce and would better clarify the roles of both the MBDA and the SBA with respect to minority business promotion.

The successes of MBDA are numerous. The services it provides differ from those provided by the SBA. The MBDA operates its minority development through national accounting and business management firms striving for eventual financial independence, while SBA's programs offer no specialized assistance to minority businesses. MBDA also offers assistance to minority firms in identifying potential foreign markets, while SBA does not. In order for the MBDA to continue helping minority small businesses, it needs to be made a permanent agency under the Department of Commerce.

It is clear that MBDA has been a champion of minority small business. A special consideration under MBDA is that it recognizes Hassidic Jews as a socially and economically disadvantaged minority. The Hassidim have been engaged for years in convincing the SBA to follow MBDA's enlightened policy, but to no avail. Recognition by the SBA would allow the Hassidim the opportunity to qualify for the section 8(a) program. Under the auspices of the MBDA, many Hassidic-owned businesses have had the chance to flourish and grow. They have made a real contribution in economic terms and to the quality of life of their community. If the MBDA were to be abolished or transferred to the SBA, the Hassidim would not be availed of all of the opportunities that they now enjoy under the MBDA.

The MBDA is a successful program that deserves a future that is free of uncertainties so that it may best accomplish its mission. S. 1848 is the legislation that will do just that.●

RURAL HEALTH AWARENESS WEEK

● Mr. D'AMATO. Mr. President, I rise today in support of legislation affecting those individuals who live in the rural areas of this Nation. I am pleased to support my colleague from Kansas, Senator DOLE, in an effort to address the health care needs of rural families and individuals.

One-quarter of the population in the United States resides in rural areas. One-third of these individuals are elderly. The elderly are the greatest user of health care services in this Nation.

In addition, there are fewer health care providers in rural areas than in urban areas. This means that access to health care becomes a key issue to those individuals who are seeking health care in rural communities. Many individuals who need health care services must drive hours to see a physician, nurse, or other health care provider.

The numerous problems that are currently affecting our health care industry nationwide seem to have a disproportionately greater affect on our rural communities. The nursing shortage is particularly great in the rural areas, as well as is a lack of obstetric care. Transportation services and costs

are a major factor affecting access to health care for rural citizens.

I am pleased to support an occasion which acknowledges the importance of such a major issue—the need for all citizens of this Nation, urban and rural, to have access to affordable health care.●

ROBERTA "BOBBIE" MORROW, PAST MEMBER OF THE NEW MEXICO STATE ASC COMMITTEE

● Mr. DOMENICI. Mr. President, today I wish to share with my colleagues my sincere gratitude for the dedicated service of a fellow New Mexican—Mrs. Roberta "Bobbie" Morrow.

Bobbie served as a member of the New Mexico State Agricultural Stabilization and Conservation [ASC] Committee since 1981. Bobbie was an excellent member. She served unselfishly with New Mexico agriculture's best interests at heart.

During her 7-year tenure, New Mexico agriculture saw good times and bad. Our farmers and ranchers saw drought and flood. They saw profitability and losses. And Bobbie served through it all in a level-headed and fair manner. She played no favorites and did what she thought was best for all concerned. In my opinion, New Mexico agriculture will miss her common sense perspective.

Bobbie and her husband, Joe, farm about 520 acres of irrigated land around Hatch, NM. The crops they grow include cotton, wheat, grain sorghum, onions, alfalfa, lettuce, chili, and cabbage. In addition, they own a feedlot for about 2,000 head of cattle.

Bobbie is a member of the New Mexico Farm and Livestock Bureau, as well as the New Mexico Cattle Growers' Association. Bobbie is also a very active member of her local Episcopal church.

She has served on the board of directors of the Hatch Area Health Council. Bobbie is a graduate of Arizona State University with an education degree. She taught first grade in Hatch for 2 years.

Bobbie is presently attending New Mexico State University's business school. She is an avid sportswoman and likes to ski, windsurf, play racquetball, and do aerobics. She also enjoys playing the guitar.

I am sure Bobbie's husband, Joe, and their children, Harvey, Mary Beth, and John, as well as their grandchild, Nicole, are as proud of Bobbie as the New Mexico congressional delegation is for all her noteworthy accomplishments and endeavors.

My congratulations to Bobbie for a job well done. She served New Mexico farmers and ranchers well for the past 7 years. Bobbie will be missed but certainly not forgotten.●

NEUROFIBROMATOSIS AWARENESS MONTH

● Mr. D'AMATO. Mr. President, I rise today in support of Senate Joint Resolution 237, a joint resolution designating May 1988, as "Neurofibromatosis Awareness Month." I commend my distinguished colleague, Senator DOLE, for promoting a cure for this disorder through greater public awareness.

Approximately 100,000 Americans suffer from neurofibromatosis [NF], a neurological genetic disorder that causes tumors to form on the nerves of those it afflicts. This disease discriminates against no one—striking all races and both sexes. Although it is a genetic disorder, half of those who have NF have no family history of the disease.

Tragically, there is no known cure for NF. The tumors associated with this disease can only be removed through surgery, and, once removed, will usually grow back. The effects of NF range in severity from curvature of the spine to disfigurement, blindness, and deafness. In its most severe form, NF can be fatal.

The Neurofibromatosis Foundation has done outstanding work both in promoting needed research into NF and in providing public education about this disorder. We must assist them in their effort to alleviate the physical and psychological impact felt by the victims of neurofibromatosis.

Mr. President, we need to bring more attention to the need for accelerated efforts toward finding a cure for NF. Through increased biological research, I am hopeful that we will someday develop a cure for NF. I am pleased to join my good friend, Senator DOLE, in cosponsoring Senate Joint Resolution 237. I encourage my colleagues to join us in this effort, and I urge the immediate passage of this resolution.●

BALTIC FREEDOM DAY

● Mr. D'AMATO. Mr. President, I rise today to cosponsor a joint resolution, introduced by my good friends, the distinguished Republican leader and the Senator from Michigan, designating June 14, 1988, as "Baltic Freedom Day." The purpose of this measure is to express Congress' outrage over the Soviet Union's continued subjugation, oppression, and Russification of the Baltic people of Lithuania, Latvia, and Estonia.

June 14, 1988, will mark the 48th anniversary of the United States' nonrecognition policy toward the Soviet's illegal occupation of Lithuania, Latvia, and Estonia. This policy shall remain a sensitive issue of United States-Soviet relations until the Kremlin's hegemony of the Baltic States is relinquished. I can only hope that we will continue to be as steadfast in this policy as our Baltic friends have been in their pursuit of freedom.

Lithuania, Latvia, and Estonia each proclaimed their independence in 1918 and for 22 years they nurtured their newly found freedom—a freedom previously denied them for centuries by more powerful, aggressive neighbors. In 1920, the Soviet Union promised to recognize their independence.

By signing peace treaties with each Baltic State, the Soviet Union promised to "voluntarily and forever" renounce its sovereign rights over the territories of Lithuania, Latvia, and Estonia and to recognize without reservation their "independence, autonomy, and sovereignty." The Soviet Union's promise, however, was as hollow as any they have made before or since that time.

In 1940, the Soviet Union began its attempt to smother Baltic freedom. The Red Army stormed into Lithuania, Latvia, and Estonia, and seized control of all three nations. The Soviets established in each nation a puppet regime which unanimously passed a "request" for incorporation into the Soviet Union. Late in 1940, these "requests" were enacted in Moscow.

The Soviet occupation began with a series of arrests and imprisonments that swelled into the tens of thousands. On the evening of June 14, 1941, with the Soviet terror gathering momentum, they began a massive deportation program. Between 1944 and 1949, hundreds of thousands of Baltic people were herded into freight cars and exiled to distant parts of the Soviet Union. Those countless native Balts who were considered potential foes of Soviet imperialism were branded "enemies of the people" and were replaced by new settlers from the Soviet Union.

Under Stalin, Khrushchev, Brezhnev, Andropov, Chernenko, and now Gorbachev, thousands of Lithuanians, Latvians, and Estonians have been slaughtered, deported, exiled, and imprisoned in slave-labor camps or committed to psychiatric institutions. These ruthless dictators have pursued a Russification policy which has denied the Baltic people the most basic of human rights. For the time being, the Soviet Union may have control over the people of Lithuania, Latvia, and Estonia. But, without the consent of these freedom-loving people, the Soviet Union inevitably will regret its illegal and forced incorporation of these proud nations.

What the Soviets have done clearly flies in the face of the United Nations Universal Declaration on Human Rights and the Helsinki Final Act. Despite repeated professions of support for the principles embodied in the final act, the Soviets have continued blatantly to violate the rights of self-determination guaranteed the Baltic people. As this act affirms, "all people

always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social, and cultural development."

While great, the degree and depth of Soviet denial of basic human and civil rights is not as deep as the Baltic people's desire for freedom and independence. The Balts' deeply rooted love of freedom and steadfast belief in the principles of independence have enabled them to endure Communist hegemony and suppression. They have lasted through years of Soviet subjugation, oppression, and Russification. Their spirit will not be broken, and their struggle for self-determination will not subside.

Mr. President, as a member and former chairman of the Commission on Security and Cooperation in Europe, I remain deeply concerned about the Soviet Union's continuing human rights violations in Lithuania, Latvia, and Estonia. As a party to the U.N. Charter and as a signatory of the Helsinki accords, the Soviet Union has pledged its respect for human rights and fundamental freedoms. As such, the Soviet Union must accept the political and legal obligations that these agreements require.

When we celebrate June 14, 1987, as "Baltic Freedom Day," it is fitting and proper that we remind the Soviet Union of these obligations. I urge my colleagues to join me in support of this resolution to reaffirm our love for freedom and our commitment to the principles of independence for all peoples, for ourselves, and especially for our Baltic friends who have been forced to live their absence.●

NATIONAL OSTEOPOROSIS WEEK

● Mr. D'AMATO. Mr. President, I rise today in support of legislation designating the week of May 8-14, 1988, as "National Osteoporosis Prevention Week." I commend my colleague, Mr. GRASSLEY, for promoting increased awareness of this widespread disease.

Osteoporosis is a degenerative bone condition which afflicts more than 16 million Americans. The risk of developing osteoporosis is greater for women than for men, and this risk increases with age. Up to 90 percent of all women in the United States over the age of 75 suffer from some form of osteoporosis.

Individuals afflicted by this condition are highly susceptible to bone fractures. Every year, more than 1.3 million persons age 45 and older suffer a fracture due to osteoporosis. For the elderly, fractures—especially fractures of the hip—can be debilitating, and, in many cases, life-threatening. Approximately 50,000 elderly women die annually due to complications resulting from hip fractures.

Fortunately, osteoporosis can be successfully prevented. Among the primary measures used to combat osteoporosis are estrogen replacement and calcium supplementation, with exercise and nutrition as important adjuncts.

The fact that osteoporosis can be prevented is a compelling reason to support Senate Joint Resolution 250. By designating a "National Osteoporosis Awareness Week," we will help foster the kind of recognition and understanding that can lead to reduced incidence of this widespread condition. I urge my colleagues to join me in this effort.●

IN SUPPORT OF NATIONAL OSTEOPOROSIS PREVENTION WEEK

● Mr. LEAHY. Mr. President, I rise today in support of Senator GRASSLEY's resolution to designate May 8 to 14, 1988, as "National Osteoporosis Prevention Week." Osteoporosis is a major public health problem that affects the elderly population and costs the United States between $7 to $10 billion annually in acute and long-term care. Research shows some of the causes of this debilitating disease. Good nutrition throughout childhood and young adulthood as well as moderate exercise, and heredity are all important factors in this disease.

It is my hope that this resolution introduced by the distinguished Senator from Iowa will help educate and draw national attention to a disease that affects our ever-growing aging population.

Mr. President, I ask that the following letter from a concerned Vermont organization be included in the RECORD.

The letter follows:

DAIRY COUNCIL
OF VERMONT, INC.,
Williston, VT, February 4, 1988.

Senator PATRICK LEAHY,
U.S. Senate, Russell Building, Washington, DC.

DEAR SENATOR LEAHY: Dairy Council of Vermont urges you to sponsor the proposed bill designating May 8-14 as National Osteoporosis Prevention Week. Because bone disease is very prominent in elderly populations and more people are reaching advanced age, bone health has become an important concern in Vermont and throughout the U.S. Osteoporosis is the most common bone disease. In osteoporosis bone mass is reduced to the extent that risk of fracture is high.

Osteoporosis is 8 times more common in women than men, but fractures occur in both sexes with increasing frequency with advancing age. One out of 4 women over the age of 65 have osteoporosis. It is estimated that 90 percent of all fractures sustained past age 60 are due to osteoporosis. In the United States, 5.3 percent of all hospitalized patients over age 65 have the diagnosis of fracture, and this increases to 10.2 percent after 85. After age 85 nearly 4 percent of the population sustain a serious fracture each year. Over one billion dollars are spent annually in the acute care of hip fractures in the U.S., to which must be added the costs in terms of suffering, physical disability, and mortality associated with the disease.

Because current investigation has begun to show that some of the risk factors for bone loss are amendable to control or change, it is extremely important that we have an osteoporosis prevention week to call the population's attention to those factors. Won't you lend your support to this important endeavor?

Sincerely.

SHIRLEY PRUSHKO, M.S., R.D.●

NATIONAL NHS-NEIGHBORWORKS WEEK

● Mr. D'AMATO. Mr. President, I rise today to cosponsor legislation which would elevate public awareness and increase private sector support for Neighborhood Housing Services [NHS] and its affiliated partnership organizations—neighborhood residents, local governments, and businesses. Together they comprise the neighborworks network which is at work in 239 neighborhoods revitalizing declining neighborhoods and preserving decent affordable housing for low- to moderate-income Americans. This resolution sponsored by the distinguished Senators from Wisconsin and Utah, Senators PROXMIRE and GARN, would recognize NHS and the neighborhood networks for their extraordinary accomplishments and designate June 5-11, 1988 as "National NHS-Neighborworks Week."

Young people across the country have encountered a phenomenon new to this era—they cannot afford to buy a home. With rising interest rates and a slower increase in income relative to housing costs, individuals and families between the ages of 25 and 40 simply cannot afford to purchase a home in today's market.

The statistics in the New York metropolitan statistical area illustrate this problem. The 1987 median income in the New York area is estimated at $29,500. Assuming a 11-percent interest rate, a 5-percent downpayment, a 30-year term with 25 percent of income available for principal and interest, an individual or family with this income would be able to afford a home which is valued at $68,000. Unfortunately, the average purchase price of a home in this area is over twice this amount—$147,000. Consequently, an individual making approximately $30,000 a year is unable to provide a home for the family. This individual or family is forced to look for rental housing.

One way to alleviate this major problem plaguing our cities is to continue our support of the NHS/Neighborworks Network. With 16 years of

accomplisments—the network partnerships have reclaimed 60 neighborhoods, are actively revitalizing 230 others, and have leveraged over $4 billion in reinvestment neighborhoods once suffering from severe disinvestment. Local governments and the private sector must work together to keep the neighborworks partnership organizations strong, thus enabling them to serve additional neighborhoods. Recognizing "National NHS/ Neighborworks Week" will strengthen this local public/private partnership.

I urge my colleagues to cosponsor this legislation.●

ORDER OF BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. REID). Without objection, it is so ordered.

GRATUITY TO LINDA G. MATHEWS

Mr. BYRD. Mr. President, I inquire of the distinguished assistant Republican leader as to whether or not Calendar Order No. 540 has been cleared on his side.

Mr. SIMPSON. Mr. President, that calendar item has been cleared on our side of the aisle.

Mr. BYRD. Mr. President, I thank my friend.

I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 540.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 379) to pay a gratuity to Linda G. Mathews.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the resolution.

If there is no further debate, without objection, the resolution is agreed to.

The preamble was agreed to.

The resolution, and the preamble, are as follows:

S. RES. 379

Resolved, that the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Linda G. Mathews, widow of Nathan V. Mathews, an employee of the Senate at the time of his death, a sum equal to two months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. SIMPSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR STAR PRINT

Mr. BYRD. Mr. President, I ask unanimous consent that report No. 100-284 to accompany S. 1904, the Polygraph Production Act of 1987, be star printed to reflect the change that I send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 100-14

Mr. BYRD. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the treaty with Canada on Mutual Legal Assistance in Criminal Matters (Treaty Doc. No. 100-14), transmitted to the Senate today by the President; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty between the Government of the United States of America and the Government of Canada on Mutual Legal Assistance in Criminal Matters, with Annex, signed at Quebec City on March 18, 1985. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter more effectively criminal activities. The Treaty should be an effective tool to prosecute a wide variety of modern criminals including members of drug cartels, "white-collar criminals," and terrorists. The Treaty is self-executing and utilizes existing statutory authority.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the treaty includes: (1) the taking of testimony or statements of witnesses; (2) the provision of documents, records and evidence; (3) the execution of requests for searches and seizures; (4) the serving of documents; and (5) the provision of assistance in proceedings relating to the forfeiture of the proceeds of crime, restitution to the victims of crime, and the collection of fines imposed as a sentence in a criminal prosecution.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

RONALD REAGAN.

THE WHITE HOUSE, *February 22, 1988.*

LEAVE OF ABSENCE

Mr. SIMPSON. Mr. President, having consulted with the majority leader, I ask unanimous consent that rule 6, paragraph 2, of the Standing Rules of the Senate, be waived for Senator PHIL GRAMM, for official business, through Friday of this week, to attend the inaugural ceremonies of the new President-elect Roh Tae Woo, of South Korea, at the request of the President of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY

RECESS UNTIL 10 A.M.

Mr. BYRD. Mr. President, I ask unanimous consent that the convening hour for tomorrow be changed to 10 o'clock from the hour of 9 o'clock as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. BYRD. Mr. President, I ask unanimous consent that after the two leaders, or their designees, are recognized on tomorrow under the standing order, there be a period for morning business for not to exceed 20 minutes and that Senators may speak therein for not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIDDAY RECESS

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate stand in recess on tomorrow from the hour of 12:45 p.m. until the hour of 2 o'clock p.m. to allow for the two party conferences.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. BYRD. Mr. President, does my good friend Senator SIMPSON have anything further?

Mr. SIMPSON. Mr. President, no.

I do hope that the S. 2 eight will continue to labor in their difficult task of trying to resolve and reach an accord perhaps on S. 2, and I know that the four Members from the Democratic side of the aisle and four Members from our side of the aisle I believe are trying diligently to do that.

The majority leader has been gracious in allowing them to continue to do that.

I hope they can reach some appropriate resolve to speed that process through here.

Mr. BYRD. Mr. President, I thank the distinguished assistant leader on the other side of the aisle. I believe that all Senators should be alerted to the possibility that tomorrow will be a very long day; the possibility that we might have a night session tomorrow night, and that we might have future sessions that will run around the clock. This will be in connection with S. 2 in the event we cannot reach a breakthrough by, say, tomorrow at 2 o'clock.

I hope that it will not be necessary to have such lengthy sessions, but it is very clearly a possibility at this point and I should alert all officers of the Senate and all employees of the Senate so that everyone will be prepared.

Mr. President, does the assistant Republican leader have anything further?

Mr. SIMPSON. Mr. President, I know that all of us remember the languid days in August and days in December and January when those particular comments were made and that those days would come, and apparently they are coming. So, enough.

I have nothing further.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 86-380, appoints the Senator from Michigan [Mr. LEVIN] to the Advisory Commission on Intergovernmental Relations.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in recess until the hour of 10 o'clock tomorrow morning.

The motion was agreed to; and, at 6:10 p.m., the Senate recessed until Tuesday, February 23, 1988, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate February 22, 1988:

THE JUDICIARY

SHANNON T. MASON, JR., OF VIRGINIA, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA VICE D. DORTCH WARRINER, DECEASED.

EXTENSIONS OF REMARKS

SCIENCE POLICY AND THE CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. HAMILTON. Mr. Speaker, on February 6, 1988, I addressed the Association of American Publishers on the topic of "Science Policy and the Congress." I would like to insert into the RECORD the text of my remarks:

SCIENCE POLICY AND THE CONGRESS

(Address by Congressman Lee H. Hamilton)

INTRODUCTION

I am pleased to be here today to talk to you about science policy and the Congress.

I am especially pleased to see my good friend, Nick Veliotes. Nick has served our country well in a variety of important positions, both at home and abroad. He has been a true public servant in the very best sense of the word. I have benefitted immensely from his wisdom and counsel over the years. I know he is serving the Association of American Publishers with equal commitment and skill.

I. IMPORTANCE OF SCIENCE TO PUBLIC POLICY

One of the biggest changes I have noticed in the Congress in recent years has been the growing importance of science to public policy. Policymakers are being increasingly called on to make judgements based on fairly technical information, a trend which will only accelerate in the future.

Members of Congress now must deal with policy questions ranging from the impact of biotechnology on farming and of robotics on the workforce, to the feasibility nuclear fusion energy and the software for SDI.

More than ever, Members of Congress are being called on to help shape the advances emerging from science and technology, sort out conflicting scientific assessments, and set funding priorities among worthy science projects.

This presents some real challenges for Members of Congress. Despite the growing complexity of the science policy issues, many of the fundamental concepts and methodologies of science are not well understood by policymakers. Only a handful of Congressmen are trained as scientists, with the vast majority being lawyers and businessmen. Many of the most controversial science policy questions deal with subject matters that have developed since most Members and staffers graduated from college.

To deal successfully with science policy, Members of Congress should not be expected to become science experts, but they do need to develop a basic scientific and technological literacy. I find Members increasingly willing to take the plunge and become knowledgeable about science. The worlds of superconductivity, superstrings, and superclusters may be familiar territory to you, but to many politicians, including this one, this is new ground.

II. IMPORTANCE OF SCIENCE TO AMERICA'S FUTURE

Perhaps the greatest reason why Members of Congress are becoming more interested in science is the importance of science to America's future.

America is in the economic fight of its life. We are beset by a declining international competitiveness that threatens the underlying strength of our economy. In a recent survey of world business executives, America was ranked only the 5th most competitive nation.

There is a broad recognition in the Congress about the importance of science to America's future. As much as one-half of our economic growth over the past several decades can be attributed to scientific and technological advances. Advances in military technology have enabled us to maintain a strong deterrent force, even when confronted with numerically superior forces. Our competitive edge and our national security hinge on a solid foundation of science and technology.

Yet we are starting to lose that edge. We are falling behind in some frontier areas of science; we have fallen behind other countries in developing the commercial applications of our discoveries; and we are devoting a smaller percentage of our gross national product to civilian R&D than our major competitors.

Policymakers are concerned about the training of our next generation of US scientists and engineers. Recent studies indicate that US high school and undergraduate science education is bad and getting worse. Interest among students is flagging: The percentage of freshmen intending to major in science has fallen sharply over the last decade. In many of our universities, well over half of our science graduate students are foreign nationals. University instrumentation and equipment is often obsolete and outmoded—lagging well behind that found in industry or in European universities. We must ensure that there will be future generations of scientists and engineers to bolster America's scientific and technological expertise.

Our long-term strength in the world depends, in a word, on investment. We need investment—both public and private—in research and technology, basic skills, and science education. Investment in our future is probably the most important long-term step we can take to improve US competitiveness.

III. FEDERAL ROLE IN SCIENCE

The Congress supports strong funding for science.

The federal government has a wide variety of science programs. Consider the range of major Science Committee issues likely to be taken up this year: upgrading university laboratories and equipment; improving the transfer of federally-funded technology into the marketplace; assessing the flow of technology out of the US; improving math and science education; rebuilding the space program; monitoring human-induced changes to the global environment; and making funding decisions on the Superconducting Super Collider and the space station.

Yet the largest share of federal science activities involves funding scientific research and development. I want to focus on that topic today—briefly summarizing the scope of federal R&D activities, and then discussing some of the problems science funding is facing.

IV. FEDERAL ROLE IN SCIENTIFIC RESEARCH AND DEVELOPMENT

In 1988, the federal government will provide some $65 billion for scientific research and development, about half of total US R&D expenditures.

Some 14% of federal R&D funds go for basic research in a wide variety of fields, including the physical sciences, life sciences, and the social sciences. The rest is more specific—such as research on missile systems, space transportation, acid rain, cancer, and AIDS.

Investments in scientific research have paid clear dividends. Numerous advances made possible by research—from disease-resistant grains and polio vaccines, to computers and satellites—have boosted our economy and enriched our lives.

Under President Reagan, overall federal research and development funding levels have increased significantly, up 96% since 1981. This is a remarkable increase, occurring at a time when many other areas of federal discretionary spending have cut back sharply.

Yet some areas have fared better than others. The President has generally put more emphasis on military R&D, basic research, and research that will contribute to economic growth, and less emphasis on near term commercialization which he feels the private sector could support.

Surely you would agree with me that the federal government must maintain its strong commitment to science and research. It improves national security, advances the training of science graduate students, enhances national prestige, and drives economic progress. As we face the challenge of maintaining US world leadership in the decades ahead, continued federal funding for scientific R&D is one of the best investments we can make in America's future.

V. MAJOR CHALLENGES TO ADEQUATE FEDERAL SCIENCE FUNDING

Maintaining that investment will not be easy. Let me give an overview of three major challenges the Science Committee faces in trying to provide adequate funding for scientific research.

A. Challenge from overall Federal deficit reduction efforts

The first major challenge is trying to provide adequate science funding during an era of ever-tighter federal budgets. Our federal deficit crisis is a major one. Since 1981, the federal government has annually spent around 20% more than it has raised in revenues. That has increased our national debt from $1 trillion of $2.4 trillion in just 7 years. One out of every seven dollars federal spending now goes just for interest on the national debt—money that could be used for productive investment in our future.

Overall, federal funding for scientific research and development has done remarkably well, increasing, as I indicated, 96% since 1981. Yet even science is starting to feel the pinch. For example, last year the President called for doubling NSF's budget by 1992, and he requested a 16% increase for NSF in 1988. The actual increase was 3%. Overall funding levels for federal R&D activities in 1988, which the President initially wanted to increase by 8%, went up 2%.

This year we could face an even tougher problem. We will have to cut $46 billion—and possibly more—in order to reach the Gramm-Rudman deficit target of $136 billion. If we do not meet that target by October, then the Gramm-Rudman across-the-board cuts automatically go into effect. These cuts could be devastating for federal science programs. While 80% of the federal budget is protected from the across-the-board cuts, science programs are not.

Non-exempt programs like science could be very hard hit, with the Congressional Budget Office estimating this week that they could face across-the-board cuts of 13%. We must do all we can to avoid the automatic Gramm-Rudman cuts.

Overall, I am optimistic that we can avoid a Gramm-Rudman sequestration this year. The budget summit agreement reached in November outlined the broad features of this year's deficit reduction package, and it was agreed to by both the President and leaders of the Congress.

Yet federal deficits will pose a major problem for adequate science funding in the years ahead. We are generally not making the structural changes in federal programs needed to get the deficit on a downward path. We are still tinkering with the programs, making changes on the margins, rather than making the tough choices of restructuring or eliminating programs no longer needed. Until we get the deficits under control, it will be very difficult to make the increases in science funding that I believe we need.

A major problem is that too great a share of the federal budget is going for consumption—like pension and social services payments—and not enough is going for long-term investment in America's future—such as for science, education, and infrastructure (highways and water projects). Each time we go into budget negotiations between the President and the Congress, between the House and the Senate, between Republicans and Democrats, each side begins by taking major programs off the table. That approach cannot work much longer. The only way we will get the deficits under control is through a broad package of shared sacrifice.

Overall, I view 1988 as mainly a transition year, without any bold new effort to make structural changes in the deficit problem. The tough choices will be left to the next administration.

Let me make two other observations about science funding:

1. Importance of Stable Funding

First, although I support President Reagan's call for more science funding, what we need is stable and uninterrupted federal funding for science education and scientific research. In the long-run, predictable funding at a reasonable amount is much more beneficial and efficient than peaks and valleys of intermittent support, even if some of the peaks reach extraordinary heights—a lesson hopefully learned from our boom/bust cycles in defense spending.

2. Eliminate Wasteful Science Funding

Second, while we must try to preserve strong levels of science funding, we must not take the position that every federal science dollar is being well-spent. The current deficit crisis should goad us into frankly assessing federal science dollars, and eliminating the waste—whether it be an outdated research program, redundant federal laboratory, or unproductive scholar. We must rein in "pork-barrel" science—doling out research funds as special favors rather than through the traditional peer-review system. And we should do a better job of establishing funding priorities, focussing on areas with the greatest potential impact. By cutting back on the wasteful federal science programs I believe we will be able to disarm program critics and strengthen our case for an overall increase in funding levels.

Science is the keystone of our nation's progress and the backbone of our military security. America's science enterprise is a national treasure and an investment in our future. It warrants strong support from the federal government, even in times of deficit reduction.

B. Challenge from the recent militarization of Federal research and development

Let me now turn to the second main challenge facing continued strong funding for scientific research.

In my view, one of the biggest threats to a strong US science program is the recent militarization of federal research. Throughout the 1970s, federal funding for research and development was basically split 50/50 between civilian and military; today defense R&D outstrips civilian funding by almost 3 to 1. Since 1981, federal support for defense R&D increased by 162% while support for civilian R&D increased only 19%, less than needed to keep up with inflation. Increases in military research have accounted for 90% of the growth in federal R&D since 1980.

Although defense R&D is certainly necessary and has produced important advances, the recent militarization of science can harm our nation's competitiveness in several ways. More of our military research is being done on specific weapons systems, which have limited commercial spin-offs. Much of defense R&D is classified, making it unavailable to American industry. Military R&D in many areas is draining off the best and the brightest of our scientists and engineers.

My basic concern is that while we are developing more and more attention to military research in order to stay ahead of our military competitors, we could get clobbered by our economic competitors. We must recognize that our national security depends not only on military advances but also on economic advances.

Japan, for example, has adopted the position that world influence derives mainly from economic strength. With only minimal military programs to absorb investment capital and scientific talent, Japan is moving toward a position of global economic supremacy. Already, its per capita income is almost double that in the Soviet Union, and by 1990 it could surpass the US in world trade. By some economic indicators, Japan now leads both military superpowers.

In civilian research and development—the key to economic growth, job creation, and productivity gains—we are spending less of our gross national product than our major economic competitors. Moreover, while Japan invests about 4% of its governmental R&D budget on defense-related R&D, and West Germany invests about 12%, some 70% of the US R&D budget goes for defense.

Already we are losing our research lead in key areas, including high-speed electronics and high-energy physics. If we expect to retain our traditional pre-eminence in scientific research, we must maintain a proper balance between our federal civilian and military research efforts.

When the US had a technological edge over its international competition, we could be somewhat more relaxed about diverting investment funds and science talent to military efforts. We cannot afford that attitude today.

Remaining a world leader in defense research is important for our national security, but so is being a leader in civilian research. Both ought to receive equally high national priority.

I am hopeful that we may see a better balance in military and civilian research, though much will depend upon who is elected the next President.

C. Challenge from Big Ticket science projects

A third major challenge facing the Science Committee is trying to determine how to pay for several big science projects in the works—projects which could easily cannibalize traditional federal science efforts.

Increasingly, the next generation of major scientific projects involves multi-billion dollar endeavors. Current projects under consideration include: a $4 billion nuclear fusion test reactor to help develop a safe, unlimited source of energy; the $6 billion Superconducting Super Collider to probe the fundamental building blocks of nature; a $3 billion project to map the millions of genes in a human being; a $25–30 billion space station to be in orbit by the late 1990s; and a possible $50 billion manned mission to Mars by the year 2010. In several fields of science today, the days of major advances being made by individual researchers using relatively inexpensive instruments are long gone.

A legitimate case can be made for such big-science projects on the grounds that they will help to revitalize our sagging national science effort, and attract and train our future scientists. Yet their huge costs will put unwelcome strains on federal budgets.

Various big-science projects already account for some $9 billion in the government's $65 billion research and development budget. As large efforts, such as the space station, move into the development stage, their costs will increase significantly. Given current budget contraints, it is difficult to go ahead with these projects while cutting back other important, though less glamorous, programs.

We should try a variety of ways to ease the budget impact of worthy projects, including coordinating the projects so that their major cost years are staggered; accepting assistance from the states wanting the projects based there; purchasing proven technologies from other countries; and adopting the "no-net-cost" approach of finding specific new revenues to pay for particular projects.

One approach increasingly being eyed by US policymakers is pursuing international cooperation in carrying out these ventures. Other countries have similar interests and projects, so it makes sense to consider the possibility of combining efforts.

Such cooperation has been used successfully in the past. We are cooperating with

other countries on a variety of projects, ranging from space science to AIDS research and pollution control. The value of past foreign contributions to NASA's programs alone has been nearly $4 billion.

International cooperation has several benefits. A major benefit is that it allows the US to go ahead with expensive projects without having to gut the rest of the federal science budget. But is has other benefits. It can: advance important foreign policy objectives—strengthening ties with our friends and lessening tensions with our adversaries; generate foreign interest in US goods and services—as in the case of communication satellites; and keep the United States up to date on many of these technologies in which we have, unfortunately, fallen behind.

Yet we must be cautious about the extent of our cooperation. Although recent studies indicate that little significant technology has been transferred to the Soviets through past scientific cooperation, careful checks must be made against important technology falling into the wrong hands. We must carefully decide whether cooperation with our economic competitors, like the Japanese, could give them commercial advantages. International cooperation must be a two-way street, and the benefits must flow both ways. Overall, we must make sure that international cooperation works for us rather than against us.

My sense is that international cooperation on major scientific projects will increase substantially in the years ahead. As the technological capabilities of the leading nations have become more equal and as the costs and complexity of projects have increased sharply, more cooperation seems inevitable.

The question is not whether we will have international cooperation, but how much we will have—and that will depend to a large extent on how much priority the next President gives to science and technology funding.

CONCLUSION

Science and technology are so much a part of our national life that we have come to take them for granted. We must recognize that they cannot benefit our lives or our nation unless we proceed with a sense of purpose and planning to gain optimum advantage from them.

The years ahead could be tricky ones for federal funding of scientific research and development. Continued strong funding faces major challenges from overall federal belt-tightening, the militarization of federal R&D, and the possibility of being squeezed out by a variety of big-ticket science projects.

Science programs continue to enjoy strong support in the Congress, and my sense is that we will continue to keep science high on the national agenda. Yet it will take some careful planning to ensure that these programs receive the funding they deserve.

CALL TO CONSCIENCE VIGIL: THE LEINS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FASCELL. Mr. Speaker, it is with renewed hope that I join our colleagues today in expressing tribute for the extraordinary spirit of Soviet Jews, who encounter grave difficulties in their efforts to seek freedom and liberty. I commend Representatives COLLINS and MILLER for organizing this special order, and I pledge my continuing support for the aims of the vigil.

Since the first Call to Conscience Vigil, I have worked tirelessly in my efforts to help Vladmir and Maria Slepak receive the right to emigrate. Finally, after 16 years, the Slepaks shall be reunited with relatives in Israel, and I rejoice in their success. The release of the Slepaks has given me new hope for the many other Soviet Jews awaiting permission to emigrate. We must work even harder now in pursuit of our aims, so that it does not take 16 years for every family to be granted the right to live in peace.

Mr. Speaker, I now call the attention of our colleagues to the plight of a valiant and indomitable family, Evgeny and Irina Lein, and their children, Sasha and Alexey. The Leins have been waiting to emigrate since July 1978. Evgeny, a mathematician, and Irina, a chemist, both lost their jobs on the day they applied for permission to leave. They applied to leave because of the anti-Semitism directed at them and because their daughter was not allowed to attend a university. The Lein family has since paid a high price for their efforts to emigrate. They have experienced many acts of anti-Semitism. Evgeny's protests led to his unfortunate arrest and imprisonment in 1981. He was held for 2½ months with no contact with his family, and then sentenced to 3 years of hard labor. Since his release, he has been beaten severely by authorities and was told that if his protests did not cease, his hands would be broken. His son, Alexey, was forced to attend the lowest rated school in the Soviet system, having no chance of acquiring higher education. Alexey was once forced to stand before his class and listen to his teacher's condemnation of his father, Evgeny.

Fortunately, the Leins' daughter, Sasha, her husband and two daughters arrived in Israel in July 1987. It is my hope that perhaps by July 1988, Evgeny, Irina, and Alexey may be reunited with Sasha and her family. We in the Congress must persist in our efforts on behalf of Soviet Jews and all those everywhere who are denied basic human rights. The Soviet Government must come to realize our genuine commitment to this issue. The Soviet leadership must strive to abide by its international responsibilities in the area of human rights.

I join with our many colleagues in reaffirming my support for Soviet Jewry. In the words of Evgeny Lein, "I intend to go to the very end." I pledge to participate in the Call to Conscience Vigil until our goal of freedom for Soviet Jews has been realized.

TRIBUTE TO THE NORTHEAST OHIO ASSOCIATION OF SCHOOL BUSINESS OFFICIALS AND THE GREATER CLEVELAND SCHOOL SUPERINTENDENTS ASSOCIATION

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. TRAFICANT. Mr. Speaker, it is with great pride that I pay tribute to the Northeast Ohio Association of School Business Officials [NEOASBO] and the Greater Cleveland School Superintendents Association [GCSSA].

These two organizations cohosted the School Board Members Night on January 21, 1988. I was honored to have received and accepted their invitation as guest speaker for the evening. Superintendents, businessmen, support personnel, and school board members were among the distinguished persons present.

This annual event serves to honor the Ohio School Board members for their untiring service and dedication to maintaining the quality and integrity of Ohio's school system. Among their many functions, board members oversee the budget, construct school district legislation, and serve as elected officials representing the people of Ohio. I am indeed honored to serve as their representative in Washington.

It is with great pride and appreciation that I pay tribute to the Northeast Ohio Association of School Business Officials and the Greater Cleveland School Superintendents Association.

ALARM OVER FOREIGN INVESTMENT IN UNITED STATES SOUNDED

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FLORIO. Mr. Speaker, I would like to call my colleagues' attention to comments of Malcolm S. Forbes, in the January 25, 1988, edition of Forbes magazine.

Citing the large dollar reserves that Japan and other countries have accumulated as a result of America's perennial trade deficit, Mr. Forbes calls for the establishment of "a Presidentially appointed Board of Knowledgeables whose approval would be required before any foreign purchase of any significance would be allowed of any consequential United States company—regardless of size."

Mr. Forbes' concern is well-founded. The House-passed trade bill contains two provisions that would address this problem. First, the bill gives the President much-needed authority to block foreign takeovers of U.S. companies that threaten the national security and essential commerce of the United States. Second, the bill provides for the public disclosure of significant foreign investment in the United States so we can begin to get a better

idea of how and where foreign investment is taking place.

Mr. Speaker, I agree with Mr. Forbes that we need to take action now to ensure that skyrocketing foreign investment in the United States does not destroy the wealth of our economy on which the standard of living for future generations depends. I believe the trade bill provisions that I have referred to are a first step in this direction.

The material follows:

FACT AND COMMENT

(By Malcolm S. Forbes)

Before Japan buys too much of the U.S.A. we must instantly legislate a presidentially appointed Board of Knowledgeables whose approval would be required before *any* foreign purchase of any significance would be allowed of *any* consequential U.S. company—regardless of size.

The President could review their decisions.

And Congress could review his.

The first and instant order of business for the returned Congress is to hammer out the requisite law. While the trade bill now in the works addresses a few aspects of the problem, it doesn't go nearly far enough.

It's one thing for the Japanese and Germans and others to buy U.S. government bonds to finance our huge trade imbalances with them.

But it's a whole and totally impermissible other thing for them to use their vast billions of dollars to buy great chunks of America's big businesses, or take over the high-tech, medical or other strategic, vital U.S. concerns.

Do you realize that, by using just last year's trade surplus with the U.S. of $60 billion, Japan could buy enough stock in a half-dozen of our biggest companies, such as GM, Exxon, IBM, Mobil, Sears, Roebuck and GE, to in effect control 'em?

Japan's investment banks have additional capital resources that could easily pick up dozens more.

American companies don't have free rein to buy Japanese companies.

No one can buy any French company who doesn't have the French government's approval.

It should be likewise in the U.S.A.

BLACK ENGINEER OF THE YEAR AWARDS

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. MFUME. Mr. Speaker, today I pay tribute to the Second Annual Black Engineer of the Year Awards. On February 27, 1988, in Baltimore, MD, the 1988 Black Engineer of the Year Awards will recognize the significant contributions that black engineers have made and continue to make to this ever challenging profession.

While making significant contributions in the field of engineering, blacks account for only 1 of every 25 engineering students. And they receive only 1 of every 35 undergraduate engineering degrees. However, that can change and the Career Communications Group, Inc., of Baltimore—publishers of US Black Engineer magazine—together with the Council of Engineering Deans of the Historically Black Colleges and Universities, and the Mobil Corp. are nobly striving to help inspire and direct more black students toward a career in the exciting field of engineering and are proud sponsors of the annual awards.

The glory and the promise of our Nation has been nurtured and enhanced as a direct result of our engineers and as blacks continue to make their presence felt in the engineering community, the time has come to pause and recognize their achievements. I am pleased to pay tribute to the following Black Engineer of the Year Award winners for 1988:

Black engineer of the year: Erroll Davis.

Outstanding achievement in the government: Commander Anthony J. Watson, USN; Dr. Christine M. Darden.

Professional achievement award: Grady C. Wright, Barbara A. Sanders.

Technical contribution award: Dr. Donald O. Frazier, Dr. Marc R. Hannah.

Student leadership award: Brian M. Argrow, Paula S. Wellons.

Most promising engineer award: Dr. L. Kerry Mitchell, Robert I. Lee.

Entrepreneur of the year award: Eugene Jackson.

Higher education award: Dr. M. Lucius Walker, Jr.

Lifetime achievement award: Dr. W. Lincoln Hawkins, Mr. Cordell Reed.

President's award: Donald Watson.

Outstanding corporate support: Alvin Cooper, Mosetta Blackmon, Donald Washington, Milt Fletcher, Sally Fernandez.

THE PEACE PROCESS IS TRICKLING DOWN

HON. GEO. W. CROCKETT, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. CROCKETT. Mr. Speaker, the Government of Nicaragua and YATAMA, the umbrella organization of Atlantic coast indigenous groups in Nicaragua, recently held talks in Managua in order to develop a framework for "reconciliation, a lasting peace, and the development of the Atlantic coast."

The talks were arranged by the Moravian Church and the Evangelical Commission for Relief and Development [CEPAD]. Initial agreements were made, including an agreement to halt offensive military activities while the negotiatons are proceeding.

Mr. Speaker, this process is clearly an offshoot of the Guatemala peace agreement signed by the five Central American Presidents in August 1987. It is important that we continue to support and advance the peace process, but not only the agreements made between governments and military rivals. We should also take note of the efforts being made to promote reconciliation within the region. This is an example of such an effort. I would like to share the entire text of the communique with my colleagues.

From: The Government of Nicaragua and YATAMA.

To: The people of Nicaragua, particularly those of the Atlantic Coast, and the international community.

Aspiring to reconciliation, a lasting peace, and the development of the Atlantic Coast, the Government of Nicaragua and the indigenous organizations YATAMA have held candid, friendly, and cordial peace talks in the city of Managua from January 26 to 28, 1988. These talks are the result of prior arrangements made by the Moravian Church and CEPAD, who established the following framework for these negotiations:

1. To be an effort within the spirit of Esquipulas II.

2. To be conducted bilaterally.

3. To be held with representatives at the highest level from both sides, without preconditions, and with an open agenda.

4. YATAMA to participate in these negotiations as an independent organization, and without ties to other forces.

In the first round of talks we have reached the following agreements:

1. To name a conciliatory commission comprised of the Moravian Church and CEPAD that will have the functions of: facilitating communication, formally chairing meetings, making recommendations, overseeing the positive progress of the talks, and bearing witness to compliance with the agreements.

2. To invite Canada, Costa Rica, Cuba, Denmark, Finland, Holland, Norway and Sweden to witness the implementation of the agreements and give moral and material support to the peace process and the development of the Atlantic Coast. To this end, it was agreed to invite the Ambassadors of said countries or their representatives, to an informal meeting on Thursday, January 28 on the agreements made to date.

3. To respond affirmatively to a call made by the Moravian Church and CEPAD to instruct the respective forces to temporarily halt their offensive military activities while the negotiations are going on.

4. To make a trip to Puerto Cabezas and Bluefields in order to publicize this peace initiative, and the fact that some agreements have been reached regarding the rights of the indigenous peoples and the Atlantic Coast peoples as a whole.

Released in Puerto Cabezas on January 29, 1988.

For the Government of Nicaragua,
TOMAS BORGE.

For YATAMA,
BROOKLYN RIVERA.

THE 40TH ANNIVERSARY YEAR OF THE NATIONAL INSTITUTE OF DENTAL RESEARCH

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. HOYER. Mr. Speaker, I am pleased to be joined today by our colleagues MERVYN M. DYMALLY, of California, and CONSTANCE A. MORELLA, of Maryland, in introducing a joint resolution to designate 1988 as the "40th Anniversary Year of the National Institute of Dental Research." The Congress, 40 years ago, approved the National Dental Research Act, and established the National Institute of Dental Research [NIDR].

A military problem led to the passage and enactment of this legislation. Learning that the major cause of rejection of young men for military service was missing teeth, Congress created the NIDR to conduct research to improve the oral health of the American people.

Because tooth decay was so widespread and serious, NIDR's early research focused on elimination of this problem. NIDR studies led to one of the most successful public health efforts in history—community water fluoridation. This public health program has contributed to as much as a 50-percent decline in tooth decay among the schoolchildren in the United States.

The return to society in financial terms has been tremendous. The decline in tooth decay resulting from the combined use of fluoride and tooth sealants has resulted in an annual savings of $2 billion in the Nation's dental bill. This annual figure represents nearly twice the total budget allotted to NIDR in the past 40 years. As tooth decay has declined, so has the loss of teeth. Indeed, between 1974–81, Americans have saved an estimated $5.5 billion in the cost of what they would have incurred for full or partial dentures.

Dental research has also had a substantial impact on the Nation's oral health in other areas as well. During the 40-year history of the NIDR, dentistry has developed from little more than a trade to a science.

Dentists are no longer simply "drilling and filling." They are now "physicians of the mouth." Our well-educated, well-trained, and highly skilled dentists diagnose and treat a wide range of diseases and conditions with oral and dental symptoms. In addition, dental investigators are researching such diseases and maladies as acquired immune deficiency syndrome, cancer, arthritis, cystic fibrosis, diabetes, herpes, craniofacial anomalies, bone and joint disorders, and pain.

For the future, NIDR will increasingly focus on our older population, citizens whose problems with toothlessness, tooth decay, and periodontal diseases require immediate attention. Research conducted by the NIDR will also center on high-risk individuals, such as those who are handicapped, institutionalized, or most susceptible to developing tooth decay and periodontal diseases.

Mr. Speaker, I am pleased to be the original sponsor of this joint resolution commemorating the NIDR on an outstanding first 40 years of existence. I encourage my colleagues in the House of Representatives to join with us in recognizing the National Institute of Dental Research for its continuing commitment to promoting disease prevention and improving oral health.

The text of the joint resolution follows:

H.J. RES. 465

Whereas the National Institute of Dental Research was established on June 24, 1984, by the National Dental Research Act;

Whereas the National Institute of Dental Research is today the leading Federal agency supporting oral health research worldwide and the third oldest of the National Institutes of Health;

Whereas the National Institute of Dental Research conducts biomedical and behavioral research in its own laboratories and supports the research of scientists in dental schools, universities, medical schools, hospitals, and other public and private institutions;

Whereas the National Institute of Dental Research is the principal source of support for the research training and the research career development of dental scientists;

Whereas the National Institute of Dental Research exercises leadership in the international community of dental research and, as a result, its research efforts have a global impact on oral health;

Whereas the National Institute of Dental Research facilitates international communication by convening assemblies of United States and foreign dental research investigators and by promoting international exchanges of dental research investigators and scientific information;

Whereas research initiated and supported by the National Institute of Dental Research has led to dramatic declines in dental caries in school children and to significant improvements in the oral health of the American public;

Whereas the National Institute of Dental Research initiatives have led to annual savings of several billion dollars in the cost of dental care to the American public, as well as to reduced pain, suffering, and tooth loss;

Whereas the National Institute of Dental Research continues to emphasize research to prevent dental caries, periodontal diseases, and other conditions leading to tooth loss and fosters research to prevent or reverse a wide range of oral health problems, including birth defects, facial injury, chronic pain, soft tissue lesions, oral cancers, bone and joint diseases, and the oral mainfestations or serious systemic disease such as diabetes, rheumatoid arthritis, and acquired immunodeficiency syndrome;

Whereas the National Institute of Dental Research works closely with the American Dental Association, the American Association for Dental Research, the American Association of Dental Schools, and the dental manufacturing industry in promoting the transfer of research findings to dental practitioners and other health professionals and engages in comprehensive oral health promotion and disease prevention activities of direct benefit to the public at large; and

Whereas the long and impressive history of the National Institute of Dental Research in reducing the burden of oral and dental diseases and in development, aging, repair, and regeneration of human tissues is worthy of special commemoration by the people of the United States: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That 1988 is designated as "Fortieth Anniversary Year of the National Institute of Dental Research", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such year with appropriate ceremonies and activities.

MARKING A NEW COURSE FOR TRADE POLICY

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. GINGRICH. Mr. Speaker, Secretary of Treasury James Baker recently indicated an important change in the administration's international trade policy. He suggested exploring a "market liberalization club" approach if the Uruguay round of trade talks aren't successful in bringing down international trade barriers.

He advocates the use of the United States-Canada free trade agreement as a lever to achieve more open trade. I hope all my colleagues will read Secretary Baker's comments on this issue:

REMARKS BY SECRETARY OF THE TREASURY JAMES A. BAKER III, BEFORE THE NATIONAL COTTON COUNCIL OF AMERICA

THE UNITED STATES-CANADA AGREEMENT: MARKING A NEW COURSE FOR TRADE POLICY

This agreement is visionary in aim, but realistic and often incremental in approach. It will assist our two nations in moving toward a more open trading system through a strategy of actions on various international fronts, bilateral and multilateral. As some of these actions bear fruit, they should enhance domestic political support for other actions and thwart defeatist cries for economic retreat. This is the spirit embodied in the Canada-United States Free Trade Agreement. And it could become stronger because of that agreement. The accord accommodates and enhances future trade liberalization efforts in several ways.

First, the agreement respects GATT and is careful not to undermine the successes of the multilateral approach. Canada and the United States are lowering barriers between themselves, not raising barriers to others. As Secretary of State Shultz observed, we are not splintering multilateralism into bilateral agreements. Instead, we are seeking a healthy, dynamic linkage between bilateral and multilateral initiatives so as to prod and reinforce the GATT.

Second, the Canada-United States agreement extends the reach of an open, cooperative system by negotiating solutions in the areas of services, investment, and technology—while respecting national sovereignty. International progress on these fronts is especially important to the United States and Canada because they are areas of likely comparative advantage for our future.

Third, we have lowered the cost of initiating international liberalization in these new areas by breaking ground with only one nation at a time. When more nations are involved, it is often harder to arrange a satisfactory compromise. Each nation prefers to wait for commitments from others, so it can either delay its contribution or, better yet, have a free ride.

Fourth, the rewards of this agreement offer an incentive to other governments. If possible, we hope this follow-up liberalization will occur in the Uruguay Round. If not, we might be willing to explore a "market liberalization club" approach, through minilateral arrangements or a series of bilateral agreements. There are voices in other nations—including Japan, South Korea, Taiwan—that have indicated that they do not wish to be left behind.

Fifth, this agreement is also a lever to achieve more open trade. Other nations are forced to recognize that the United States will devise ways to expand trade—with or without them. If they choose not to open their markets, they will not reap the benefits. By employing this lever together, the United States and Canada may be able to dislodge obstacles in special areas of common concern—such as agriculture.

Sixth, this Canadian-United States accord could prove to be an important catalyst for a domestic political coalition that wants an activist, yet constructive and internationalist, United States trade policy. Indeed, during the final week of negotiation, the encouragement and ideas of a number of Senators and Representatives, Democrats and

Republicans, were instrumental in completing the agreement.

This agreement, and others it may engender, has the potential to tap a broad base of support. It attracts those who want government to foster growth and opportunity by breaking down obstacles to achievement and fair competition. In particular, I urge this audience to carefully consider the advantages of this agreement. I hope that having done so you will then lend your influential voices in support, just as leading men and women have inspired landmark progress in our nation's past.

A TRIBUTE TO NYLE ERSKIN

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. VANDER JAGT. Mr. Speaker, 25 years ago, Nyle Erskin was elected clerk for Montcalm County, MI, and every 4 years since that first election he was returned to office to serve the people of the county. On December 31, 1987, he retired as clerk, but his accomplishments have ensured that his distinguished tenure will remain a shining example of what can be accomplished through hard work, dedication, and love of community.

Those that have worked with and know Nyle best see him as a dedicated public servant, a family man, and a leading and energetic force in Montcalm County. As a public servant, he has served long and well. As a family man, he had his wife, Norma, have three children, nine grandchildren, and two great-grandchildren.

I know my colleagues will join me in wishing Nyle Erskin all the best in his future endeavors. I am certain that he will find happiness and great pleasure in his retirement years ahead. The following newpaper article from the Greenville Daily News, Greenville, MI, of January 21, 1988, features some of Nyle's many accomplishments. I commend this article to your attention, Mr. Speaker, and that of my colleagues:

[From the Greenville (MI) Daily New, Jan. 21, 1988]

ERSKIN'S FIRST CAMPAIGN FOR COUNTY CLERK WAS HIS TOUGHEST

(By Sylvia Warner)

STATON.—Nyle Erskin ran for the office of Montcalm County Clerk 25 years ago. That first campaign proved to be his toughest and closest race, even though he has sought election to the same post every four years since.

Erskin's historic career in county government came to an end Dec. 31 when the longtime Vestaburg resident retired from the clerk's office. But that first clerk's campaign in 1962 was not the beginning of his involvement in local government.

Erskin was appointed supervisor of Richland Township in 1953. Later he ran successfully for election to that supervisor's position, and held the post for 10 years.

In 1962, then county clerk, Art Montgomery, decided to not seek reelection, thereby ending his 30-year career in that position.

"In those days the township supervisors sat on the county board and I was chairman," Erskin recalls "Art took me aside and told me he wasn't running again and said he thought I would like the job."

But Erskin had a fulltime business, a grocery store in Vestaburg.

"Just to show you coincidences do happen," he said, smiling, "a fellow I knew came into the store about a week later and asked if I was interested in selling by business; a week later I was out of the business."

After that, Erskin's campaign for county clerk got under way in earnest.

Erskin said the election was actually decided in the August primary since no Democrats were running for the job. One of the two other Republicans Erskin ran against, Riley Clark of Greenville, gave him a tough race, Erskin recalled.

"Election night, the first five precincts to come in (at the courthouse in Stanton) were from Greenville, and Clark won all of those," he said. "I won all the other precincts, but it took all night, until the last two precincts were in, before I moved into the lead in vote totals."

Erskin won the Republican nomination and the clerk's seat by 220 votes.

Although he lost the Greenville precincts, Erskin credits the help he had from residents of the Greenville area with helping his campaign.

Erskin said he spent lots of time on the campaign, including all over the county, usually accompanied by local township folks—both Republican and Democrat—who knew him.

In the Greenville area, his campaign got a boost from Pearl Lewis and her son, Earl Petersen, of the radio station, and present-day commissioner Jack VanHarn, as well as Greeville attorney Robert Price.

"As a result of all that campaigning and help from so many friends," Erskin said, "I was able to get elected and I've never had to campaign that hard since, except just lately when I've had some people like Bob Marston run against me."

All those years as clerk have turned Erskin into a walking encyclopedia of county government information.

There are, he said, more than 2,000 laws determining how the county clerk's office functions and what its duties are. Among the basic constitutional duties defined by state law, the county clerk is required to serve as clerk of county board of commissioner meetings, as clerk of the circuit court, and keeper of all vital records such as birth and death certificates and marriage licenses.

The clerk's office handles half the financial bookkeeping for the county, a duty shared with the county treasurer's office, and is the chief elections officer for the county.

The clerk also is required to serve as secretary to several other county boards, including the allocation board and the board of canvassers.

The office also has a direct link to numerous state offices, such as the Secretary of State Elections Division and the state Department of Public Health in the matter of vital records.

The clerk's office also maintains the circuit court records.

"It's really diversified," Erskin said, "and that's why most clerks are a pretty independent cuss."

And just as in other government offices, the volume of work has increased each year as new laws are written and the number of lawsuits escalate.

"That's the biggest change I've seen in the clerk's office," Erskin said. "There has been a tremedous increase in the volume of work."

He cites such laws as the Campaign Finance Act that requires political candidates to file financial statements with the elections division through county clerk's offices and other court reporting matters that have added to the work load in clerk's offices.

Despite the work load, Erskin said he will miss the job.

"I have felt very fortunate," he said, "to have a job where I could feed my family, accumulate some retirement benefits, and still enjoy what I was doing." Erskin's varied background certainly has contributed to the contentment he feels with what he has accomplished.

Born in St. Louis, Mich., and raised in Vestaburg, Erskin joined the U.S. Navy after graduating from Vestaburg High School. He was sent to Hawaii before being medically discharged after only a few months when doctors discovered a heart murmur. Then he returned to Vestaburg and married his sweetheart, the former Nora Sherwood.

The Erskins have three children, Jane King of Palo, Grace Shaffer of Crystal and Jim of Vestaburg. They also have nine grandchildren and two great-grandchildren.

Over the years he worked in a factory in Lansing, as a meatcutter at a Kroger store in Lansing, and after some schooling was named meat department manager at the store.

Later Erskin worked at the Lansing Motorwheel plant and after World War II was over, spent a year in the trucking business in Ohio.

In 1947, the family returned to Vestaburg and purchased a grocery store. Three years later they sold that store, now known as "The Spot," and purchased a store in the business area of Vestaburg. They operated that business for 12 years before Erskin decided to run for county clerk.

Now that he's retired as county clerk, would Erskin consider running for any other public office? If you ask that question, all you'll get is the famous Erskin grin.

He has, he said, no immediate plans except to get caught up on some work at home, spend a little more time at his favorite sport, bowling, and perhaps do a bit of traveling.

REPRESSION OF NICARAGUAN TRADE UNIONISTS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FASCELL. Mr. Speaker, during the debate on the President's request for additional United States assistance to the Nicaraguan Contras, I noted—in support of the President's request—that the Sandinistas have had it within their power to implement all of their promises under the Central American peace plan since the day Daniel Ortega signed that plan last August. That so far they have failed to live up to their commitments to democratization and full respect for freedom of association and freedom of the press is abundantly clear. Despite the positive impact of the Arias plan, Nicaragua under the Sandinistas is still marked by repression of those patriotic Nicaraguans who refuse to submit to one-party rule.

I want to draw the attention of our colleagues in particular to the treatment of Nicaragua's independent trade unionists, who are

generally grouped within the ICFTU-affiliated Nicaraguan Confederation of Trade Union Unity [CUS]. Jose Collado, president of the Dade County, FL, Chapter of the Labor Council for Latin American Advancement of the AFL-CIO, recently alleged that the following are examples of arrests and attacks against CUS members after the peace treaty was signed:

First. On August 8, 1987, one day after the signing of the peace accord, 16 members of the CUS were arrested: Ricardo Gutierrez, Juan Gutierrez, Luis Garcia, Eduardo Garcia, Eusebio Garcia, Santurnino Gutierrez, Francisco Garcia, Santos Garaica, Jacinto Olivas, Arnulfo Gonzalez, Solmon Vallecillo, Ronaldo Gonzalez, Concepcion Munoz, Pedro Perez Ricardo Contreras, and Alberto Contreras.

Second. On November 1, Julio Bustamante, of the Office Workers Union of El Viejo, was taken from his home at 10 p.m. by three men in army uniforms and beaten in front of his neighbors.

Third. On November 19, at midnight, Miguel Salas, a CUS machinist union member, was shot four times by a Sandinista official, Wilfredo Dominguez.

Fourth. On December 16, the leader of the CUS retail clerks union was arrested in Chinandega.

As the House continues to debate on United States policy toward Nicaragua, and considers future United States assistance to the Contras, it is important to keep this pattern of continuing repression in mind, as well as the vivid contrast between Sandinista promises designed for consumption abroad and Sandinista actions in Nicaragua.

TRIBUTE TO THE NEW HOPE BAPTIST CHURCH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. TRAFICANT. Mr. Speaker, it is with great pride that I stand before you today to pay tribute to the New Hope Baptist Church of Youngstown, OH.

The New Hope Baptist Church, organized in 1918, now celebrates 70 years of community service. This church has the distinguished honor of being one of the first black churches located on the East Side of Youngstown. During the past 70 years, the congregation has built two other churches, the latest structure was dedicated in December 1978.

For 70 years, this institution has been dedicated to serving the surrounding community. Their contributions to the welfare and happiness of the people of Youngstown is greatly appreciated and should be given special recognition. Let the New Hope Baptist Church stand as an example of the giving and caring we are all capable of. I am indeed honored to represent such a fine group of citizens.

It is with great pride and appreciation that I pay tribute to the New Hope Baptist Church of Youngstown, OH. May God's light shine especially bright on their congregation.

ROBERT L. MESSICK, OUTSTANDING BUSINESS AND CIVIC LEADER

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FLORIO. Mr. Speaker, I would like to commend a highly respected community leader in the First Congressional District of New Jersey, Mr. Robert Messick. The Camden County, NJ, Democratic Committee will honor this week Mr. Messick for his long and tireless dedication to public service.

As a life-long resident of New Jersey and a graduate of the University of Pennsylvania School of Law, he has earned the well-deserved attention and gratitude of the community in which he has so graciously served and the respect of his colleagues in both public service and the legal profession.

Mr. Messick has maintained for the last 27 years a private legal practice in Camden City and Haddonfield, NJ, and has provided distinguished service to the county of Camden as an assistant prosecutor between 1967 and 1970.

Throughout the many years, Mr. Messick has continually lent his professional expertise to many civic and business organizations. Among those activities are the following:

Chairman of the Camden County Democratic Committee;

Chairman of the Bellmawr, NJ, Board of Education;

Member of the Bellmawr Borough Council; and

Chairman of the board of directors, Continental Bank.

Although these are just a few examples of Mr. Messick's accomplishments, they are reflective of a man who is an outstanding business and civic leader. We, as I am sure I speak for all who have had the pleasure of working with Mr. Messick, owe him a great debt of gratitude.

Mr. Messick will be honored for his many years of service at a dinner sponsored by the Camden County Democratic Committee on Thursday, February 25, at the Woodbine Inn located in Pennsauken, NJ. I am certain that my colleagues will join with me in wishing Mr. Messick many more years of continued service and success.

BLACK MAYORS AND THE CHALLENGE OF URBAN GOVERNANCE

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. MFUME. Mr. Speaker, on February 24, 1988, Morgan State University and the Joint Center for Political Studies are sponsoring a 1-day conference entitled "Black Mayors and the Challenge of Urban Governance." It is with great honor that I rise to pay tribute to our Nation's African American mayors, and to discuss the significance of the event.

In the 23 years since the passage of the Voting Rights Act, African Americans have made significant strides in the political arena. Much of the evidence is in city halls throughout the country. For example, in 1970, there were 48 African American mayors whose combined constituency was 1 million people. Today, there are close to 300 mayors representing 20 million citizens. I am especially pleased that 20 percent of the African American mayors are women.

While their geographic locales and backgrounds may differ, the challenges faced by urban mayors bear important similarities. The February 24 conference will provide an excellent opportunity to examine what we have learned and gained from two decades of African American governance at the municipal level. In addition, it will be a forum to discuss how today's problems are being addressed, and what the expectations and prospects are for African American political leadership in the future.

Hon. Kurt Schmoke, mayor of Baltimore City; Hon. Wilson Goode, mayor of Philadelphia; and Hon. Richard Hatcher, former mayor of Gary, IN, will join leading scholars of urban politics for this timely and intellectually stimulating program.

With its impressive Institute for Urban Research, Morgan State University has always been in the forefront of efforts to bring attention to the problems, concerns, and accomplishments of our Nation's cities. I ask my colleagues to join me in commending the university for combining forces with the Joint Center for Political Studies to make the "Black Mayors and the Challenges of Urban Governance" conference possible.

TURKEY AND GREECE ARE TALKING, GIVING HOPE FOR THE FUTURE

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FROST. Mr. Speaker, in the wake of the optimistic, long overdue meeting in Switzerland last month of the Prime Ministers of our NATO allies, Turkey and Greece, we read press reports that Turkish Prime Minister Turgut Ozal will go to Athens this spring for an historic meeting with Greek Prime Minister Andreas Papandreou.

The Turkish Government's position that problems between Turkey and Greece are not of an irreconcilable nature, that they can be solved peacefully and equitably through negotiations conducted in good faith, appears now to have struck a responsive chord in Athens. This is good news for both counties and for Western and regional interests generally.

It is gratifying that Prime Minister Papandreou decided to grasp Prime Minister Ozal's extended hand and take advantage of Mr. Ozal's frequently declared willingness to meet with him "anytime, anywhere" to begin the process of improving relations between their two countries. Prime Minister Ozal, since taking office in 1983, has been emphatic in his conviction that cordial and stable relations

between Turkey and Greece were of utmost importance to each and to Western security.

Both leaders deserve our praise for the efforts. But, we can serve them best in their quest for resolution of their differences by confining our involvement to moral support, and leaving them the responsibility to work out their problems. Any partiality of our part, even the appearance of partiality, could bring to a halt the momentum of the two leaders' search for solutions. Partiality is an incentive for intransigence by the apparent beneficiary.

So, let us cheer our allies on in the hope that they will soon resolve their differences.

Mr. Speaker, I insert in the RECORD and editorial from the Christian Science Monitor of February 18, giving a discussion of the issues confronting these two nations.

[From The Christian Science Monitor, Feb. 18, 1988]

WHEN GREEKS AND TURKS TALK

When feuding neighbors agree to talk things over, it's generally a good sign. The dialogue often eases tension and reduces problems.

The recent summit meeting in Davos, Switzerland, between Turkish Prime Minister Turgut Ozal and Greek Prime Minister Andreas Papandreou marked the first face-to-face talks between the two NATO nation's leaders in many decades.

The results were hardly dramatic. Still, by meeting six times in two days, chatting comfortably with each other in English, and setting a new cooperative tone, the leaders made an important beginning. They agreed to meet at least once a year, and Prime Minister Ozal has already amended his travel plans for the next NATO meeting in Brussels to include a stop on his way home in Athens March 5.

Relations between Greece and Turkey have historically been prickly. A major disagreement has evolved over territorial and mineral rights in the Aegean. Numerous Greek islands lie just off Turkey's west coast. If each island has a right to territorial waters, as Greece claims that international law ensures, Turkey becomes virtually landlocked on the west. Turkey insists the situation is exceptional and wants to divide the Aegean.

Turkey has long been ready to talk. Greece, which has more to lose from a change in the status quo, set conditions for talks: removal of Turkish troops from Cyprus and graphic signs that Turkey is moving toward full democracy. But such criteria were dropped after a heated dispute last March over oil drilling rights almost led to war the two leaders began an exchange of letters which led to the Swiss summit. Mr. Papandreou had added reason to seek a rapprochement. He is running for a third term in June 1989 and wants to be viewed as a man of peace; he also gains new leverage from Turkey's desire to become a member of the European Community.

The leaders set their summit sights on modest accomplishment: They set up a joint economic council to promote trade and tourism, agreed to install a direct telephone "hot line," and vowed that last year's close brush with war must never be repeated.

The Aegean issue, which Greece wants to submit to the World Court, was left largely untouched. So was the dispute over the future of Cyprus, where the Greek majority and Turkish minority live behind sharp dividing lines. Greece wants Turkey's 30,000 occupying troops on the northern side of the island out before the two communities negotiate their future under United Nations auspices. Turkey, which sent its troops in during a 1974 Greek-backed coup attempt, wants an agreement before removing its troops.

Turkey and Greece thus still have much to resolve. But the fact that their leaders are now talking, pledging themslves to a goal of "lasting peaceful relations," can only be seen as a step in the right direction.

CONGRESSMAN DALE E. KILDEE PAYS TRIBUTE TO DR. CLARENCE B. KIMBROUGH, M.D.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. KILDEE. Mr. Speaker, I rise to pay tribute to an extraordinary man of exemplary accomplishments who has given so much of himself to my hometown of Flint, MI—Dr. Clarence B. Kimbrough, M.D. On February 24, the Flint branch of the U.S. Postal Service will host a luncheon to honor this fine man for his many years of leadership and service.

Dr. Kimbrough has been a leader and a pioneer throughout his life, beginning with his college education at Tennessee A&I State University where, as president of the student council, the National Honor Society, and the Alpha Phi Alpha Fraternity, he graduated with the highest honors. He received his medical doctor degree from Meharry Medical College where he graduated with high honors and was elected to the Kappa Pi National Medical Honorary Society.

Dr. Kimbrough continued his pioneering ways while receiving his hospital training at Hurley Medical Center and McLaren General Hospital. He was one of the first black physicians to serve on the house staff at Hurley Medical Center. He was also the first black physician on the house staff at McLaren General Hospital. Dr. Kimbrough has been director of the department of general practice, vice chief of staff and a member of the executive committee at Hurley Medical Center. He has also been an associate professor of community medicine at Michigan State University. Dr. Kimbrough has become an emeritus member of the staff of Hurley Medical Center, St. Joseph and McLaren General Hospitals.

Dr. Kimbrough has been a leader with numerous community organizations such as Mott Children's Health Center, Flint College and Cultural Center, National Association for the Advancement of Colored People, Urban League, Flint Institute of Arts, Flint Institute of Music, Hundred Club, Kiwanis Club and Alpha Phi Alpha Fraternity. He has also received numerous awards for his community involvement, such as the Martin Luther King Drummer Boy Award from the NAACP and the Liberty Bell Award for Community Service from the Genesee County Bar Association.

Dr. Kimbrough was also chairman of the board for the first black-owned radio station in Flint, which was only the second black-owned radio station in the State of Michigan.

Mr. Speaker, in this month of February, as we celebrate Black History Month, it is fitting and proper to honor one of Flint's most prominent black citizens of Flint through his tireless efforts to make Flint a great city.

NATIONAL 1988 BIG BROTHERS/BIG SISTERS APPRECIATION WEEK JACK THOMPSON—BIG BROTHER OF THE YEAR

HON. WALTER E. FAUNTROY

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FAUNTROY. Mr. Speaker, on February 21–27, 1988, Big Brothers/Big Sisters of America [BB/BSA], and Big Brothers of the National Capital Area [BBNCA], will be celebrating its National Big Brothers/Big Sisters Appreciation Week. This year marks the 85th anniversary of the Big Brothers/Big Sisters of America Movement. Big Brothers of the National Capital Area, an affiliate of BB/BSA, takes great pride in commemorating this week by paying special tribute to the many volunteers and contributors who have helped hundreds of children in Washington, DC, Maryland, and Virginia.

As you know, BBNCA is a nonprofit social agency serving the needs of fatherless boys by matching them, one-to-one, with a positive adult male volunteer who provides friendship, companionship and guidance. BBNCA has been serving the community for over 38 years and has grown into a multibranched organization serving boys in the District of Columbia, Northern Virginia jurisdictions and Prince Georges and Montgomery Counties.

"Big Brothers Appreciation Week" is celebrated annually throughout the United States. Nationally, there are more than 460 Big Brothers/Big Sisters affiliated agencies in 49 States. Locally, BBNCA provides services through more than 1,400 volunteers.

I join with a grateful city in recognizing the Big Brothers/Big Sisters of America Movement, National Appreciation Week, BBNCA's Big Brother of the year Jack Thompson and BBNCA's many years of service to fatherless boys in the metropolitan area. Today because of Big Brothers/Big Sisters there are future teachers, doctors, lawyers, leaders and solid citizens who might never have been if Jack Thompson, and others like him, had not so generously given of their time and talent.

We are indebted to Big Brothers/Big Sisters and the caring hearts that nurture our young and challenge us to continued diligence.

RECOGNITION FOR ROBERT PICCININI

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. LEVINE of California. Mr. Speaker, I rise today to recognize Robert Piccinini who will be honored with the Anti-Defamation League's Torch of Liberty Award on March 22. This award is given annually to an individual who has personified the noblest traditions of the United States and the Anti-Defamation

League, and who has upheld those principles which make our Nation strong. As an active and highly respected member of the Modesto and Central Valley communities, Bob Piccinini clearly fits that definition.

Bob prefers to make his charitable donations anonymously, so it is difficult to enumerate his many contributions to the Modesto community. However, those who know him agree that he is a caring individual who consistently gives back to the community more than he receives. Bob's most notably philanthropic activities—and the few that he will actually acknowledge publicly—have been through his business. He has used to distribute the resources of his business, Save Mart Supermarkets, to distribute food to the less fortunate. Whether through an ongoing surplus giveaway program or through holiday food baskets, Bob's generosity can always be counted on.

Bob Piccinini is president of Save Mart Supermarkets, which was started by his father and uncle in 1952. Bob joined the family business as a courtesy clerk, and worked his way through the various levels of management: store manager, warehouse manager, and manager/developer of all Save Mart real estate. After he was named president in 1980, Bob initiated a massive expansion plan. By 1984, his leadership yielded the biggest growth in the firm's history. If his record thus far is any indicator, he will certainly achieve his goal of expanding Save Mart into the largest and best regional grocery store chain in northern California.

In addition to Save Mart, his business endeavors include Yosemite Express Co., better known as SMART Refrigerated Transport, and Sunnyside Farms Dairy of which he is founding partner and member of the executive committee. Bob is currently director of the Pacific Valley National Bank, officer/director of the California Grocer's Association, director of Pacific Rim Corp., and a partner in La Loma Properties.

Although business and family commitments do not leave him much spare time, Bob has managed to pursue his hobbies. Bob is an avid golfer and automobile collector. His collection includes Mercedes, Porches, a Jaguar, and even an extremely rare 1931 LaSalle Roadster.

Bob has also been involved in a variety of baseball organizations. He was the owner of the Sacramento Solons, Modesto A's, and the Fresno Giants. He served on the board of directors for the Pacific Coast Baseball League and the California Baseball League.

Again, I would like to congratulate Bob Piccinini for being selected for this prestigious award. His energy, leadership, and community service are truly commendable.

BLACK HISTORY MONTH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 17, 1988

Mr. FASCELL. Mr. Speaker, I would like to join our colleagues in commemorating Black History Month. The month of February is a month of recognition for contributions to the greatness and development of American society, by black Americans. Throughout this month, Americans of all races, colors, and creeds look at their society and remember the accomplishments of black Americans and honor those who may not have been individually recognized for their invaluable contributions.

History is perhaps our best means of education and, by looking back over the past, we gain knowledge from the experiences of others. Future generations will not forget the triumphs of black Americans by recounting events of black history during Black History Month. A milestone in the life of black Americans was the establishment of the National Association for the Advancement of Colored People, founded by W.E.B. DuBois in 1909, to help blacks eliminate racial problems facing them. In the latter half of this century, courageous Rosa Parks took a stand in 1954, for what she felt was injustice; her actions initiated what later became the civil rights movement. People, events, and dates like these are what Black History Month is all about—remembering—so not to forget how our great society developed; remembering those Americans who contributed to the richness of this society.

Without the contributions of the American black community, our society could not have become the great society it is. Each February, we call special attention to the history of black Americans, and how they have enriched our world. Today, their active involvement in American society goes beyond equality; it strives and reaches for new heights in the daily challenges of national problems.

TRIBUTE TO BRIG. GEN. JOHN F. PHILLIPS

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. WILSON. Mr. Speaker, on December 15, 1987, the promotion of three outstanding members of the Air Force team to brigadier general was announced. I would like to take this opportunity to recognize and congratulate one of those men, John F. Phillips.

General Phillips is a fellow east Texan, born and raised not too far from my home town. He has had a distinguished career in the Air Force—one that I hope will continue for many years. The entire country can be proud of this man for his service to the United States, but I am sure that this pride and respect is immeasurable among his friends, neighbors, and family back in Anderson County, TX.

Gaining the rank of brigadier general requires many years of hard work, dedication to duty, and exemplary qualities of leadership and character. It is not a prize won easily, it must be earned. It is an honor to know that this Air Force "top gun" is from my district. I am confident that as long as General Phillips and other good men and women like him are in the military, we can feel more secure in a strong future for our country.

SPANISH HERITAGE

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. RICHARDSON. Mr. Speaker, I want to bring to the attention of my colleagues the insightful observations of New Mexico's leading Hispanic historian, Edmundo Delgado, in regard to former Secretary of the Interior Stewart Udall's recent book, "To the Inland Empire". Mr. Delgado is a historian of great renown and his comments on the book are both timely and important as Americans begin to recognize the tremendous contributions of Hispanics to the culture and history of the United States. I want to personally commend Mr. Delgado for his foresight in further highlighting these contributions. He is to be complimented for his scholarship and dedication in making all Americans more aware of the rich heritage of the Hispanic culture.

The article follows:

FINALLY, THE TRUTH ABOUT SPANISH HERITAGE: UDALL'S "TO THE INLAND EMPIRE" DECRIES IGNORANCE OF SOUTHWESTERN HISTORY

(By Edmundo Delgado)

Those who have registered the history of Hispanics have been guilty of a deception worse than direct misstatements. Guilty as well are those Hispanics who have failed to respond to these injustices.

The history of the Americas, particularly of the Southwestern United States, generally has been written by individuals who perpetuated the "Black Legend" designed by the Reverend Richard Hakluyt, a 16th-century English geographer who instituted the anti-Spanish campaign from which the world is still reeling.

For those of Spanish heritage, it is providential that just as we near 1992, the most important date in modern Hispanic history, a respected former Secretary of the Interior has written a courageous book which proclaims that the evidence is indisputable that Spanish, not "European," explorations were predominant in the West in the 50-year period that followed the landfall of Columbus.

No historian can afford to ignore "To the Inland Empire," by Stewart Udall, with spectacular photography by Jerry Jacka, published by Doubleday and Company.

The reader is taken across a time portal of history as the author points out the coming together of the Mormons and the Spanish. Udall, himself a Mormon, cries out against the prejudice that made Mormons outcasts and caused the Spaniards to be despised by newcomers because of their blood and religion.

The book is marked with prickly words, which chastise the New England historians who completed the burial of the Spanish heritage with what the author calls "The Yankee Tilt."

Any child who has studied grade school history is familiar with such names as Bancroft, Hildreth, Motley, Parkman, Palfrey and Sparks, who dominated our historical writing in the 19th century.

Udall calls attention to the first English-speaking historian who dared to ignore the "Black Legend" nonsense, W.H. Prescott, who saw the positive accomplishments of the early Spanish settlers.

It is enlightening to read a book wherein an author praises the true American "for having lived face-to-face for over two centuries with the same power that overwhelmed native cultures in Mexico and Latin America." Udall says that in spite of all adversity the American Indians have "maintained the core of their way of life against the inordinate pressures of a dynamic U.S. civilization."

Many authors have written about Francisco Vasquez de Coronado (they even changed his surname from Vasquez to Coronado) and his quest for Quivira, but few have told that by 1540 the Spaniards were following an Indian trail from the Pecos Pueblo to Quivira, which would become the most famous trade path in the West, the Santa Fe Trail.

The author answers penetrating questions, including the fact that some attempted to hide the acknowledgements and contributions made in one of the most important periods of American history, the history of the people with Spanish surnames.

Udall states how this distorted history "resulted in histories that glorified English accomplishments, ignored Spain's climatic epoch and spawned English fables that obliterated Spanish facts."

He points to the concept of a "European experience" that was accepted as truth; for example, English writers who depicted Francis Drake as a contemporary of the Spanish mariners Magellan and Cabrillo apparently did not know Magellan and Cabrillo were dead before Drake was born.

One cannot miss Udall's answer to the early propagandists who claimed that the Spaniards were inherently inhuman. Nor can the reader ignore the fact that only one cultural group forcibly marched our native Americans on to the reservation.

Pineda, Ponce de Leon, Cabeza de Vaca, Esteban, Cabrillo, Melchor Diaz, Vasquez de Coronado, De Soto—they left their footprints on our American soil. When Francisco Vasquez de Coronado set out from Compostela, it was exactly 192 years before George Washington was born.

Udall suggests that the "Mayflower folk move over and allow the authenic first families of our 16th century to share their symbolic front-row pew at our national processionals."

Yes, Mr. Secretary Udall . . . the lion lives!

A TRIBUTE TO CHUCK HAYTAIAN

HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. COURTER. Mr. Speaker, I rise today to share special tribute to Chuck Haytaian, the majority leader of the New Jersey Assembly. Chuck Haytaian represents the best of two worlds, combining a successful business career with a true devotion to public service. He epitomizes what is best about a dedicated public servant and what is best about New Jersey. Chuck Haytaian is a man for all seasons.

Born in New York City on January 28, 1938, Chuck Haytaian attended public schools in the Bronx and graduated in 1961 from the University of Alabama, with a degree in electrical engineering.

Chuck Haytaian has had extensive and varied experience in the political arena. He has served on the Mansfield Township Economic Committee, and as an executive committee member of the Warren County Republican Committee. A member of the committee that drafted the 1981 Republican State platform, Chuck was elected a Warren County freeholder in 1976, and served as freeholder director in 1977 and 1980. He was first elected to the New Jersey State Assembly in 1981, where he presently holds the position of majority leader.

These activities have not stopped Chuck Haytaian from making outstanding contributions to many worthy causes. In 1981, Chuck Haytaian served as chairman of the United Way campaign for Warren and Northhampton (Pennsylvania) Counties. He has also played a principal role in the fundraising campaigns of the March of Dimes, the Cancer Society, and the Heart Association.

I realize how important leadership in government can be. Chuck Haytaian exemplifies the principles of good government. His leadership has made the New Jersey Assembly a strong body, responsive to the needs of its constituency. That is why I rise today, to pay tribute to one of our Nation's outstanding State legislators, Chuck Haytaian.

GOOD CORPORATE CITIZENSHIP IN PUERTO RICO

HON. JAIME B. FUSTER

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FUSTER. Mr. Speaker, I rise to point out to my colleagues a remarkable example of good corporate citizenship undertaken by the Puerto Rico Manufacturers Association that shows what private industry can do when it genuinely wants to get involved in the community and its public school system. In particular, I should like to cite Syntex Puerto Rico Inc., which, under the Puerto Rico Manufacturers Association's "Adopt-a-School Program," has converted the Juan de Dios López Elementary School of Humacao, into a model school.

This is a fine example of civic responsibility. Syntex has not only improved the school physically, making a considerable financial investment in the process, but has also made a commitment to work on a continuous basis with the students, teachers, and parents. This public spiritedness is a good example of how industry can help to solve social problems and indicates again that in Puerto Rico there is a renewed climate in which the public and private sectors are working together for the common good.

Because of the success of the Syntex project, the Puerto Rico Manufacturers Association has encouraged its other members to promote the "Adopt-a-School" concept, noting that "The excellence of public education is necessary to maintain Puerto Rico's economic and social development." Our Commonwealth Department of Education cannot bear the entire burden and still maintain the level of excellence in education needed by society at large. Hence, the "Adopt-a-School" concept.

That concept has obviously worked well with Syntex and the Juan de Dios López School. I am sure my colleagues will join me in congratulating the Puerto Rico Manufacturers Association for this commendable effort of good corporate citizenship.

THE CELEBRATION OF WOMEN'S HISTORY MONTH IN YOLO COUNTY, CA

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. FAZIO. Mr. Speaker, I rise today to recognize a very special celebration taking place during March of this year in Yolo County, CA. In that county, which I am proud to represent, a variety of people and organizations have come together to honor women, as part of National Women's History Month, "Reclaiming the Past, Rewriting the Future." Throughout the month the people of the county will be listening to lectures, joining in group discussions, watching presentations and sharing other experiences to recognize women and the important role they have played in the history of our Nation and Yolo County.

We must recognize that women from every walk of life helped found this great Nation in countless recorded and unrecorded ways. Women have and continue to play critical economic, cultural, and social roles in every sphere of this Nation's life. In Yolo County, alone, there are thousands of women who are leaders in business, education, medicine, government, and many other fields. Women are heading groups such as the chamber of commerce and the farm bureau, among many others. Women are also leading groups and committees which are tackling numerous social issues and community problems. In Yolo County and across the Nation, women are making history. Yet, despite these contributions, the role of American women in history is often overlooked and undervalued.

Let us hope that the month of March becomes a time to recapture some of that history, but we must not stop there. Let this March be the beginning of a new era in which women are recognized for the history they have made, for the strides they are accomplishing and for the dreams they seek to achieve. And let us congratulate the people of Yolo County for recognizing the importance of such a beginning and for organizing an outstanding array of activities to celebrate this very special time—Women's History Month.

A SPECIAL EVENT FOR ANTONIA MARIA FALINA

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. ACKERMAN. Mr. Speaker, I rise today to offer my congratulations to Mrs. Antonia Maria Falina of Corona, NY, who will celebrate her 100th birthday on March 5, 1988. Mrs.

Falina immigrated to the United States from her native Italy in 1907.

Mrs. Falina arrived at Ellis Island after a 23-day boat journey from Naples and with her husband, Antonio, settled in the lower east side in New York City. A few years later, the family moved into a house they built in Corona, Queens County, NY. She has resided in that home for over 75 years.

Mrs. Falina has instilled a deep love and respect for America in her 5 children—Filomena Campanielle, Michael Falina, Daniel Falina, Frank Falina, and Christina DiStasi; 8 grandchildren—Janet Campanielle, Ann Theresa Relyea, Antoinette Scisa, Michael Falina, Jr., Margaret Ann Hanna, Carolyn Salamone, Nicholas DiStasi and Anthony DiStasi; 18 great-grandchilden—Ann Marie Fisher, Bernadette Loheac, Elizabeth Lugo, James Relyea, Raymond Relyea, Patrick Relyea, James Scisa, Kathy Scisa, Paul Scisa, John Scisa, Antoinette DiStasi, Gina Marie DiStasi, Thomas DiStasi, Frank Salamone, Anthony Salamone, Andrew Salamone, James Hanna, and Melissa Hanna; 14 great-great-grandchildren—Danielle Breslin, Jaime Breslin, Theresa Lugo, Christofer Lugo, Patrice Lugo, Jessica Lugo, James Lugo, Bryan Fisher, Brendan Fisher, James Scisa, Michael Scisa, Paul Scisa, Victoria Scisa, and Brad Scisa; and 2 grandnephews—James Golia and Joseph Golia.

She is an unwavering source of inspiration to them and people of all ages.

Turning 100 years old is an extraordinary event. I wish Mrs. Falina many more birthdays celebrated in good health with her loving family and friends.

WAIVER FOR 5 PERCENT VA LOAN DOWNPAYMENT REQUIREMENT

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. ANDREWS. Mr. Speaker, I rise in support of the approval of S. 2022, the Veterans' Home Loan Program Emergency Amendments of 1988. This bill will grant an urgently needed waiver authority from the 5-percent downpayment requirement for vendee loans, which are used for the purchase of foreclosed properties from the Veterans' Administration. This 5-percent requirement became effective January 22, 1988.

This requirement will ruin the VA foreclosure resale market in Houston and other areas throughout the country that have depressed economies. Houston has tens of thousands of homes on the foreclosure market. The intense competition has driven down payment requirements to 3 percent and frequently no down payment.

VA vendee loans will not be competitive. A decline in resales has already started to add more properties to a backlog of over 8,000 properties. The result is that the Federal Government will have to bear millions of dollars in holding costs until local markets improve, which could be months or years from now.

Home buyers, real estate agents, and the communities will also be hurt. VA properties are favored by first time home buyers. Many real estate agents have made VA foreclosure properties their primary business. As the number of unsold foreclosed properties grows in a community, deterioration of these unoccupied homes increases and drags down the value of other homes.

I do not disagree with the intent of the 5-percent requirement. The nationwide foreclosure rate for vendee loans is double to triple the rate for regular VA loans. The drain of these foreclosures on the Federal deficit must be stopped. But a 5-percent requirement in the Houston market at this time does not benefit the buyer, the agent, the community, or the Government.

S. 2022 is a good solution to the varying market conditions in each part of the country. It gives the Veterans' Administration the authority to waive the 5-percent requirement in regions where it is doing more harm than good. I urge the President to sign this bill quickly so that the waiver can be implemented.

A HALF-CENTURY OF VOTING

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. BORSKI. Mr. Speaker, I rise today to congratulate three residents of Northeast Philadelphia who have each voted in over 50 consecutive elections.

One of the great privileges of American life is the opportunity to participate in our democratic process. Unfortunately, fewer and fewer people are taking advantage of that priviliege, and fewer still feel dutybound to vote. It is therefore significant to find one individual—let alone three—who have voted year in and year out for over 50 years.

Edna and James Grant are lifetime residents of Philadelphia. Mrs. Grant first voted in 1937. She has voted in every primary and general election since. In addition, she has been a Democratic committeewoman for the last 6 years.

Edna's husband, James has been voting since 1934. Mr. Grant was a Democratic committeeman for 25 years. Together, Edna and James Grant have been voting for over a century. They cast their first Presidential ballots for Franklin Delano Roosevelt.

Jesse Vanni has compiled an impressive record of citizen participation. Mr. Vanni first voted in 1928, when Alfred Smith ran against Herbert Hoover. He will vote in his 60th election this year, "If," as he says jokingly, "I live long enough." Mr. Vanni has also been a committeeman since 1972.

Mr. Speaker, few in this body knew the candidates which Mr. and Mrs. Grant and Mr. Vanni supported. Most members are familiar with the public officials Edna, James and Jesse cast ballots for only from history books.

I am proud that three residents of my district have been so dedicated to participating in this Nation's democratic process. I am pleased to pay tribute to three patriotic and public-spirited Americans, Edna and James Grant and Jesse Vanni.

FEAST OF SS. CYRIL AND METHODIUS PATRON SAINTS OF THE SLAVS

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. LIPINSKI. Mr. Speaker, as cochairman of the Democratic National Committee's Council on Ethnic Americans, I am pleased to commemorate February 14 as the feast day of Cyril and Methodius, the patron saints of the Slavic people.

These brothers were outstanding scholars and linguists. They are credited with creating the Cyrillic alphabet, upon which the modern Ukrainian, Russian, Bulgarian, and Serbian alphabets are based. Their purpose in creating a written version of the Slav's language was to facilitate Slavic Christianization. More than 1,000 years ago, Cyril and Methodius set out upon this task, translating the Holy Scripture into Old Church Slavonic, rather than into the customary Latin.

Mr. Speaker, it is indeed sad that today in most of the countries to which these brothers brought Christianity, their feast day cannot be celebrated. The oppression that prevails in these Eastern European nations prevents Christians from freely worshiping and practicing their faith.

It is fitting that we in this Congress show our support for all persons in oppressed lands. To that end, Senator DECONCINI and I introduced House Joint Resolution 429, deploring the Soviet Government's active persecution of religious believers. I urge all of my colleagues to join us in support of this bill.

SAFETY RECORD OF ILLINOIS-AMERICAN WATER CO., PEORIA DISTRICT

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 22, 1988

Mr. MICHEL. Mr. Speaker, I'd like to advise my fellow colleagues of a safety milestone reached by the Peoria District of the Illinois-American Water Co. In January of this year, the company completed 2 million man-hours without a lost time accident, a remarkable safety record for a plant in an industry noted for its dangerous work. The average disabling frequency rate for the water utility industry is approximately 34 accidents per million man-hours, with an average of 912 lost time days per million hours worked.

It has taken the plant about 8 years to reach this safety goal, an accomplishment which owes much to the dedication and commitment to the safety management systems employed by the company and its employees. They have set an example to business and industry throughout the State and should, indeed, be commended for their safety efforts and for achieving this important milestone. My sincere congratulations and best wishes to them as they begin their ninth accident-free year.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, February 23, 1988, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 24

9:00 a.m.

Armed Services
To continue hearings on the Intermediate-range Nuclear Forces (INF) treaty.
SR-222

Rules and Administration
Business meeting, to consider S. Res. 41, to provide for germaneness or relevancy of floor amendments, S. Res. 42, to limit legislative amendments to general appropriations bills, S. Res. 43, to establish a procedure in order to overturn the Chair on questions of germaneness under cloture, S. Res. 274, to limit sense of the Senate or Congress amendments, S. Res. 277, to require that amendments must be offered to a bill, resolution or other measure in the order of the sections of that bill, resolution, or other measure, and other pending legislative and administrative business.
SR-301

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative priorities of the Paralyzed Veterans of America, the Blinded Veterans Association, the Military Order of the Purple Heart, and the Veterans of World War I.
SR-325

9:30 a.m.

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.

Appropriations
To hold hearings on the President's proposed budget of the United States Government for fiscal year 1989.
SD-192

Banking, Housing, and Urban Affairs
To hold hearings on the Federal Reserve's first report on the conduct of monetary policy for 1988.
SD-538

Foreign Relations
To continue hearings on the Treaty Between the United States and the USSR on the Elimination of Intermediate-Range and Shorter-Range Missiles (Treaty Doc. 100-11).
SH-216

Governmental Affairs
To continue hearings on H.R. 3400, to provide for participation of Federal employees in political activities.
SD-342

2:00 p.m.

Armed Services
To resume hearings on strategy and capabilities for NATO defense, including the implications for the Alliance of the Intermediate-range Nuclear Forces (INF) treaty.
SR-222

Small Business
To hold hearings on S. 1929, to create a corporation for small business investment.
SR-428A

FEBRUARY 25

9:00 a.m.

Armed Services
To hold hearings on resource policies for NATO force improvements.
SR-222

Rules and Administration
To hold hearings on S. Res. 260, to amend the Standing Rules of the Senate to revise current committee structure and designations, and S. 1835, to establish a procedure for consideration of conference reports on a bill or joint resolution making continuing appropriations for a period of 30 days or more.
SR-301

Select on Indian Affairs
To hold oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on Indian programs.
SR-485

9:30 a.m.

Energy and Natural Resources
Business meeting, to consider pending Calendar business.
SD-366

Judiciary
To hold hearings on the nomination of Bernard H. Siegan, of California, to be United States Circuit Judge for the Ninth Circuit.
SD-226

10:00 a.m.

Appropriations
Interior and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Pennsylvania Avenue Development Corporation, National Capital Planning Commission, and the Holocaust Memorial Council.
SD-192

Banking, Housing, and Urban Affairs
To continue hearings on the Federal Reserve's first report on the conduct of monetary policy for 1988.
SD-538

Commerce, Science, and Transportation
To hold hearings to review developments in drug and alcohol testing.
SR-253

Environment and Public Works
Environmental Protection Subcommittee
To hold hearings on S. 1979, to establish the Grays Harbor National Wildlife Refuge in the State of Washington.
SD-406

Finance
To hold hearings on the nomination of Mark Sullivan, of Maryland, to be General Counsel for the Department of the Treasury.
SD-215

Foreign Relations
To continue closed hearings on the Treaty Between the United States and the USSR on the Elimination of Intermediate-Range and Shorter-Range Missiles (Treaty Doc. 100-11).
S-116, Capital

2:00 p.m.

Armed Services
To hold hearings on compliance with, and enforcement of, the Intermediate-range Nuclear Forces (INF) treaty.
SR-222

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on speed limit issues.
SD-406

Small Business
To resume hearings on S. 1993, to improve the growth and development of small business concerns owned and controlled by socially and economically disadvantaged individuals, especially through participation in the Federal procurement process, and H.R. 1807, to set forth specified small business eligibility requirements with respect to the Small Business Administration's small business and capital ownership development program and the award of Government procurement contracts under the small business set-aside program.
SR-428A

Select on Intelligence
To continue closed hearings on the provisions of the Treaty Between the United States and the USSR on the Elimination of Intermediate-Range and Shorter-Range Missiles (Treaty Doc. 100-11).
SH-219

2:15 p.m.

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Transportation.
SD-124

3:00 p.m.

Foreign Relations
International Economic Policy, Trade, Oceans and Environment Subcommittee
To hold hearings on the nomination of Eugene J. McAllister, of Virginia, to be Assistant Secretary of State for Economic and Business Affairs.
SD-419

FEBRUARY 26

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the U.S. Customs Service.
SD-116

Select on Intelligence
To continue closed hearings on the provisions of the Treaty Between the United States and the USSR on the Elimination of Intermediate-Range and Shorter-Range Missiles (Treaty Doc. 100-11).
SH-219

10:00 a.m.
Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on the use of the Interstate Highway System right-of-way for magnetic levitation high speed transportation systems.
SD-406

Governmental Affairs
To hold hearings on the nominations of Frank E. Schwelb, to be an Associate Judge of the District of Columbia Court of Appeals, and Cheryl M. Long, to be an Associate Judge of the Superior Court of the District of Columbia.
SD-342

Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings on S. 1482 (Sec. 614), S. 1512, and S. 1515, bills to make certain improvements with respect to the Federal Judiciary.
SD-226

FEBRUARY 29

10:00 a.m.
Environment and Public Works
To hold hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Federal Highway Administration.
SD-406

Judiciary
To hold hearings on pending nominations.
SD-226

2:00 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings on S. 1014, to increase civil monetary penalties based on the effect of inflation.
SD-342

MARCH 1

9:30 a.m.
Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

Energy and Natural Resources
To hold oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Department of the Interior.
SD-366

Governmental Affairs
To hold hearings on proposals to establish a national nutrition monitoring and related research program.
SD-342

Judiciary
Antitrust, Monopolies and Business Rights Subcommittee
To hold hearings to review competitive issues in the cable television industry.
SD-226

Small Business
Innovation, Technology and Productivity Subcommittee
To hold hearings to examine the use of advanced manufacturing technologies by small business.
SD-428A

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on the Agricultural Research Service, Cooperative State Research Service, and the Extension Services.
SD-138

2:00 p.m.
Energy and Natural Resources
To hold oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Department of Energy.
SD-366

Select on Intelligence
To resume hearings on S. 1818, to make requirements for the preparation, and transmittal to the Congress, of Presidential findings for certain intelligence operations, to provide mandatory penalties for deceiving Congress, and to establish an Independent Inspector General for the Central Intelligence Agency.
SD-562

MARCH 2

9:30 a.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1989 for the National Aeronautics and Space Administration.
SD-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.
Environment and Public Works
To hold hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Environmental Protection Agency.
SD-406

Judiciary
Constitution Subcommittee
To hold oversight hearings to review bail reform issues.
SD-226

Select on Intelligence
To resume closed hearings on U.S. monitoring and verification capabilities with respect to the Treaty Between the United States and the USSR on the Elimination of Intermediate-Range and Shorter-Range Missiles.
SH-219

2:00 p.m.
Environment and Public Works
To hold hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Nuclear Regulatory Commission.
SD-406

Small Business
To hold hearings on proposed legislation to govern administration of the small business timber sale set-aside program.
SR-428A

MARCH 3

9:30 a.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

Energy and Natural Resources
To hold oversight hearings to review those programs which fall within the jurisdiction of the committee as contained in the President's proposed budget for fiscal year 1989, focusing on the Forest Service, and the Federal Energy Regulatory Commission.
SD-366

Judiciary
Patents, Copyrights and Trademarks Subcommittee
To resume hearings on S. 1301 and S. 1971, bills to implement the Berne Convention for the Protection of Literary and Artistic Works.
SD-226

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on the Animal and Plant Health Inspection Service, Federal Grain Inspection Service, Food Safety and Inspection Service, and the Agricultural Marketing Service.
SD-138

Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Department of Defense.
SD-192

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Federal Highway Administration, and the National Highway Traffic Safety Administration.
SD-124

Commerce, Science, and Transportation
To hold hearings on S. 1848, to authorize a Minority Business Development Administration in the Department of Commerce.
SR-253

1:00 p.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Federal Election Commission, Bureau of Alcohol, Tobacco and Firearms, and the Federal Law Enforcement Training Center.
SD-116

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1544, to provide for cooperation with State and local governments for the improved management of certain Federal lands, and H.R. 2652, to revise boundaries of Salem Maritime National Historic Site in the Commonwealth of Massachusetts.
SD-366

Select on Indian Affairs
Business meeting, to mark up S. 721, to provide for and promote the economic development of Indian tribes by furnishing the necessary capital, financial services, and technical assistance to Indian owned business enterprises and to stimulate the development of the private sector of Indian tribal economies, S. 1236, to authorize funds for fiscal year 1988 for housing relocation under the Navajo-Hopi Relocation Program, and S. 802, to transfer ownership of certain lands held in trust for the Blackfeet Tribe.
SD-628

MARCH 4

8:00 a.m.
Veterans' Affairs
To hold hearings on the President's proposed budget request for fiscal year 1989 for veterans' programs, and proposed legislation relating to veterans' home loan guarantees.
SR-418

9:30 a.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

10:00 a.m.
Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings on S. 1608, to amend the Federal judicial code with respect to the administration of the U.S. Claims Court, and the salaries and benefits of Claims Court judges.
SD-226

MARCH 8

9:30 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review legislative priorities of the Veterans of Foreign Wars.
SD-106

MARCH 14

10:00 a.m.
Finance
Private Retirement Plans and Oversight of the Internal Revenue Service Subcommittee
To hold hearings on the reform of Internal Revenue Service code penalties.
SD-215

MARCH 15

9:00 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal years 1991-1993 for the Corporation for Public Broadcasting.
SR-253

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on Agricultural Stabilization and Conservation Service, Soil Conservation Service, and the Commodity Credit Corporation.
SD-138

Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Department of the Army.
SD-192

MARCH 16

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings in conjunction with the National Ocean Policy Study to review Federal enforcement of foreign fishing activities in the Bering Sea.
SR-253

Energy and Natural Resources
Business meeting, to consider pending calendar business.
SD-366

10:00 a.m.
Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

2:00 p.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on activities of the Federal Aviation Administration.
SR-253

MARCH 17

9:30 a.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on proposed legislation authorizing funds for Amtrak.
SR-253

Veterans' Affairs
Business meeting, to consider President's budget requests for fiscal year 1989 for veterans' programs, and proposed legislation relating to veterans' home loan guarantees.
SR-418

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Department of the Air Force.
SD-192

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1988 for the National Transportation Safety Board, and the Research and Special Programs Administration.
SD-124

2:00 p.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1508, S. 1570 and H.R. 1548, bills to withdraw and reserve certain Federal lands for military purposes.
SD-366

2:30 p.m.
Budget
To continue hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

MARCH 18

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the U.S. Tax Court, Committee for the Purchase from the Blind and Other Severely Handicapped, Advisory Commission on Intergovernmental Relations, Merit Systems Protection Board, Office of the Special Counsel, Advisory Committee on Federal Pay, and the Federal Labor Relations Authority.
SD-116

MARCH 21

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of the Treasury, focusing on the Financial Management Service, Bureau of the Public Debt, U.S. Mint, and the Internal Revenue Service.
SD-116

10:00 a.m.
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for military construction, focusing on base rights and burdensharing.
SD-192

MARCH 22

9:30 a.m.
Governmental Affairs
To resume hearings on proposals to establish a national nutrition monitoring and related research program.
SD-342

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the De-

partment of Agriculture, focusing on the Foreign Agricultural Service, Food for Peace Program (P.L. 480), Office of International Cooperation and Development, and the Office of the General Sales Manager.
SD-138

Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Department of the Navy, and the U.S. Marine Corps.
SD-192

MARCH 23

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To resume hearings on S. 1600, to create an independent Federal Aviation Administration.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold oversight hearings to examine Health Care Financing Administration's management of medical laboratories.
SD-342

MARCH 24

9:30 a.m.
Commerce, Science, and Transportation
To hold hearings to review federal collection activities of information relating to foreign investment in the United States.
SR-253
Governmental Affairs
Oversight of Government Management Subcommittee
To hold oversight hearings to examine Health Care Financing Administration's management of medical laboratories.
SD-342

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Farm Credit Administration.
SD-138
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the National Guard and reserve programs.
SD-192
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Federal Railroad Administration, and the National Railroad Passenger Corporation (Amtrak).
SD-124

MARCH 25

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the National Archives and Records Administration, U.S. Secret Service, Administrative Conference of the United States, and the U.S. Postal Service.
SD-116

MARCH 28

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Office of Management and Budget (OMB), and the Office of Federal Procurement Policy.
SD-116
Budget
To resume hearings in preparation for reporting the first concurrent resolution on the fiscal year 1989 budget.
SD-608

MARCH 29

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for force structure programs.
SD-192

MARCH 30

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on the Rural Electrification Administration.
SD-138
Appropriations
Military Construction Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for military construction and family housing programs.
SD-192
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 314, to require certain telephones to be hearing aid compatible.
SR-253

MARCH 31

9:00 a.m.
Veterans' Affairs
To hold hearings on proposed legislation relating to agent orange and related issues.
SR-418

10:00 a.m.
Appropriations
Defense Subcommittee
To hold hearings to review proposed budget estimates for fiscal year 1989 for the Strategic Defense Initiative.
SD-192
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Federal Aviation Administration, and the General Accounting Office.
SD-138

APRIL 12

9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To hold hearings on proposed legislation authorizing funds for programs of the Ethics in Government Act.
SD-342

APRIL 13

9:30 a.m.
Governmental Affairs
Oversight of Government Management Subcommittee
To continue hearings on proposed legislation authorizing funds for programs of the Ethics in Government Act.
SD-342

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on the Farmers Home Administration, and the Federal Crop Insurance Corporation.
SD-138
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for reserve components' military construction and defense agencies' military construction and family housing programs.
SD-116

APRIL 14

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Urban Mass Transit Administration, and the Washington Metropolitan Transit Authority.
SD-124

APRIL 15

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the General Services Administration and the Executive Office of the President (with the exception of OMB).
SD-116

APRIL 18

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of the Treasury.
SD-116

APRIL 19

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, focusing on the Food and Nutrition Service, and the Human Nutrition Information Service.
SD-138

APRIL 20

10:00 a.m.
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Army

military construction and family housing programs.
SD-124

APRIL 21

10:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Commodity Futures Trading Commission, and the Food and Drug Administration of the Department of Health and Human Services.
SD-138

Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Office of the Secretary of Transportation, and the General Accounting Office.
SD-124

APRIL 26

9:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, rural development, and related agencies.
SD-138

APRIL 27

9:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, rural development, and related agencies.
SD-138

10:00 a.m.
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Navy military construction and family housing programs.
SD-124

APRIL 28

9:00 a.m.
Appropriations
Agriculture, Rural Development and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Department of Agriculture, rural development, and related agencies.
SD-138

10:00 a.m.
Appropriations
Transportation and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the U.S. Coast Guard.
SD-124

APRIL 29

9:30 a.m.
Appropriations
Treasury, Postal Service, and General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for the Office of Personnel Management.
SD-192

MAY 11

10:00 a.m.
Appropriations
Military Construction Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1989 for Air Force military construction and family housing programs.
SD-124

CANCELLATIONS

FEBRUARY 24

9:30 a.m.
Judiciary
Constitution Subcommittee
To hold hearings on a proposed amendment to the Constitution relating to a Federal balanced budget.
SD-226

2:00 p.m.
Select on Intelligence
To resume closed hearings on the provisions of the Treaty Between the United States and the U.S.S.R. on the Elimination of Intermediate-Range and Shorter-Range Missiles (Treaty Doc. 100-11).
SH-219

MARCH 16

9:30 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold oversight hearings on activities of the Federal Aviation Administration.
SR-253